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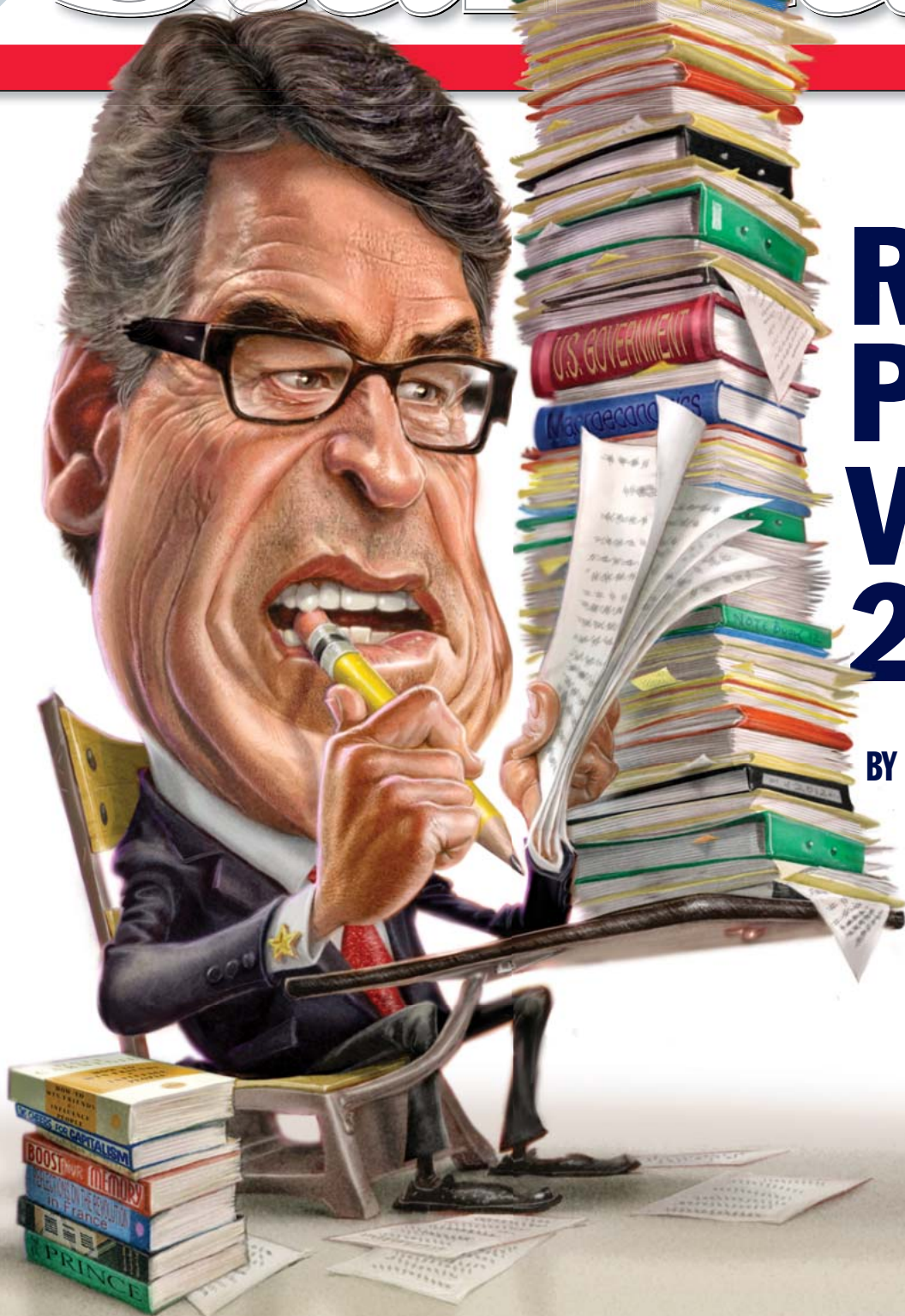
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Rick Perry, Version 2.0

BY FRED BARNES



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COVER BY GARY LOCKE



Archie, We Hardly Knew Ye

Last week the world of comic books reeled from two bits of sensational news. First, it was revealed that Archie Andrews, hero of the classic *Archie* comics, was dead. Or rather, “dead,” as they put it in industry parlance, because only the Archie of one of the Archie books, *Life with Archie*, had bought the farm. (The Archie of the long-running flagship book, *Archie*, lives on.) What made Archie’s demise so notable was the manner in which he was dispatched. He was assassinated. Gunned down while valiantly saving the life of his friend. Who’s a war hero. And gay. And also gay-married. And was recently elected to the United States Senate, where he was a crusader against gun rights. You can’t make this stuff up.

On the one hand, the “death” of Archie is part of a time-honored tradition in comics, where publishers looking for a quick hit of publicity (and goosed sales) kill off a character only to bring him back. Superman, Batman, Captain America, and scores of others have returned from the dead. And *Life with Archie* sure needed some juice. According to the website ComicChron, which keeps track of industry sales, the last issue of *Life with Archie* sold 2,064 copies, making it the 386th most popular comic book (out of 439 tracked comics) that month.

Yet even though *Life with Archie* is a comic book no one cares about, the media dutifully jumped off the porch and chased the stick, with literally

hundreds of stories about Archie and his brave, progressive, gay best friend. It’s what they do. The only time the media care about comic books is when a character is a minority or gay. Or, in the case of the DC



The late Archie

Comics hero “Bunker,” a gay minority. The *New York Times* was totally jazzed about Bunker.

A few days after the Archie news, Marvel comics announced—on *The View*, no less—that it was turning the hero Thor into a woman. This caught most fans by surprise. After all, the character Thor, the Norse god of thunder, dates back over a thousand years. As a comic book fixture, Thor dates to August 1962, the month in which Marvel debuted both him and Spider-man, in what is considered the

height of the Silver Age of comics.

Though not a man—he is not mortal—Thor has always been depicted as male. And now Marvel insists that he’s a woman. Very little explanation has been given except that the new female Thor is not Thorina, Thora, or She-Thor, but is *the* Thor, per Marvel canon. Supposedly, this represents progress. Or something.

Ever since the baby boomers took over comic books, the industry has had pretensions to social relevance—from Green Lantern confronting overpopulation, to Captain America battling a stand-in for Richard Nixon, to Superman renouncing his American citizenship. These stunts are as regular as the tides.

But both Archie and the new Thor seem like missed opportunities to get on the newest fad: transgender rights, which is coming soon to a culture war near you. There’s no *frisson* in gay marriage anymore, and simply switching genders for a character is old hat—this isn’t even the first time Thor has been turned into a woman. (That happened way back in 2000’s *Earth X* miniseries. His half-brother Loki has also done time as a woman.)

Clearly Archie should have died by overcoming his cis-gender privilege to protect a genderqueer best friend. And Thor should have transitioned the old-fashioned way, after recognizing that his true gender expression did not meet his assigned sex. Ladyboy Thor will forever be a missed opportunity for progressive propaganda. ♦

Obama, Edited

Last February President Obama launched a new initiative to help “boys and young men of color” facing tough odds in life to stay on track and reach their full potential. At the time we observed in an editorial that there was a not-exactly-

minor problem with “My Brother’s Keeper” (as the initiative was dubbed): its exclusionary nature. By “color,” the president meant black and brown, and by “boys and young men,” of course, he meant youthful males of those colors.

In the editorial (“Excluding by Race,” March 10), we asked why the

initiative was limited to African-American and Hispanic young men, and why was it not open to young men regardless of color, and for that matter, women too. After all, young Americans facing difficult circumstances come in all colors and races as well as both sexes. And by shutting a door of opportunity against

those not of the favored colors or sex, we noted, the administration was risking a lawsuit that it had no chance of winning.

Now it appears that the administration has figured this out. For while the initiative remains focused on helping boys and young men of color, it also has been recast in ways that at least erase its explicitly exclusionary lines.

Thus, the “progress report” recently submitted by the task force implementing the initiative refers to those it aims to help as coming from the ranks of “all young people.” The report identifies ostensible beneficiaries as “boys and young men of color,” but not as though they are the only ones. Clearly, while they may benefit from the initiative more than boys and young men of other colors or national origin, or than girls and young women, they remain a subset of “all young people,” and no one otherwise eligible for some program under the initiative may be excluded from it on grounds of race or sex.

Since THE SCRAPBOOK spends its days working with words, we admit to being impressed with the balancing act pulled off by the writers of the report. Thus, when the document says that “young people” are to be helped, it hastens to point out that “young people” include “boys and young men of color.” When it says that “boys and young men of color” are to be assisted, it quickly makes clear that there are to be beneficiaries among “all young people.” As well, when the report says that “boys and young men of color” are to be helped, it goes on to say that their “peers” are too—peers meaning every young person similarly situated in some at-risk category.

By the way, THE SCRAPBOOK must report that neither “girls” nor “young women” make an appearance in the 61-page report. But by implication they are among “all young people,” and thus they are possible beneficiaries of the initiative. In our view, they are not, by virtue of their not being mentioned explicitly, being warred against, as



no good Democrat would ever consider doing that.

As though to complete the editing believed necessary to secure the initiative against charges of bias, the task force included in its report a declaration of nondiscrimination. Thus, the “strategies and recommendations discussed in this report are designed in accordance with the fundamental principle that Federal and federally assisted programs and services may not discriminate on the basis of sex, race, color, or national origin. Nothing in this document should be read to suggest otherwise.”

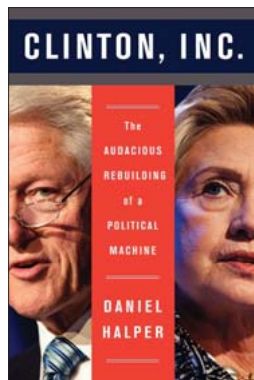
That fundamental principle is correct. And we applaud the admin-

istration for now affirming it. May the president and all his men and women of all colors stick to it. ♦

More Summer Reading!

Our colleague Daniel Halper’s highly anticipated new blockbuster, *Clinton, Inc.: The Audacious Rebuilding of a Political Machine*, goes on sale this week. It promises to be the go-to book for fearless, not to mention nonhagiographic, reporting on Hillary Clinton’s effort to return the family business to its former domicile at 1600 Pennsylvania Ave., after a hiatus of 16 years.

The book, intriguingly, made headlines last week even before its release. As Lloyd Grove reported in the *Daily Beast* (“The Strange Leak of the New Exposé ‘Clinton, Inc.’”): “A prolific but mysterious rogue distributor . . . somehow got a copy of Halper’s book and blasted out a series of mass-media emails containing PDFs . . . of the entire 317-page, 12-chapter volume that was officially under wraps until the designated publication date, July 22. . . . Emails from someone who identified himself, unusually, as Robert Josef Wright—a name not immediately accessible on Google or other commonly used databases—began blasting to more than 100 prominent and less prominent print and online journalists and television anchors, occasionally using their personal addresses. The message from ‘Wright’ read as follows: ‘Here is a book I bought today that you all must read. Its [sic] coming in several emails so it doesn’t spam you. Someone has exposed The Royal Clinton’s [sic]. King Smarmy Bill, Queen Smug Chilary, and Princess Spolied Chlesea [sic]. I don’t know David [sic]



Halper or his other books. But he obviously knows people who have been dying to tell the truth and finally have. Will you take it seriously or will the liberal press coronate the Clintons by attacking the messenger?”

The mysterious leaker has not yet been identified. But it looks like a hamfisted effort by someone supporting Hillary to tar the book as a favorite of loony right-wingers, hence the misspellings and cartoonish language of the email missive. Happily, the ploy seems to have backfired, serving only to heighten interest in Halper’s work. Grove describes the book as “juicy and gossipy, yet scrupulously researched, drawing on numerous on-the-record conversations (as well as many not-for-attribution interviews) with prominent Democrats and Clinton insiders, past and present.” THE SCRAPBOOK concurs. Had we been asked for a blurb, we would have called it “scrupulously juicy.” We think our readers will enjoy every morsel, and encourage you all to buy a copy for yourselves and another copy for a friend (because if you lend yours, you may never see it again). ♦

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Unsentimental Journey

In past years I have taken to print to attack two words—*focus* and *icon*—that drove me bonkers. *Focus*, a metaphor from the world of cameras and microscopes, replaced the words *concentrate* and *emphasize*. Suddenly everywhere ballplayers lost their focus, students were encouraged to find theirs, schools, companies, nations began focusing on this or that problem. Hocus-pocus, I used to mutter to myself, please, drop the focus. Nobody did, and the word today has still not lessened in popularity.

In its original meaning *icon* was a small religious painting used as an aid to devotion. In its new meaning, persons, cultural events, inanimate objects became iconic. To be an icon was, apparently, a step up from being a superstar, as superstar was a step up from being a mere star. The word *icon* became part of the vocabulary of hype, and was used so often that it no longer carried any weight or absorbed the least truth. Awesome, you might say, but then again the matter mightn't be of any interest to you. Whatever.

Focus, *icon*, *awesome*, *whatever*, all are among what H. W. Fowler, in his great but surely not iconic book *Modern English Usage*, calls vogue words. According to Fowler,

every now and then a word emerges from obscurity, or even from nothingness or a merely potential and not actual existence, into sudden popularity. It is often, but not necessarily, one that by no means explains itself to the average man, who has to find out its meaning as best he can. . . . Ready acceptance of vogue words seems to some people the sign of an alert mind; to others it stands for the herd instinct and lack of indi-

viduality. The title of this article is perhaps enough to show that the second view is here taken.

On the way to becoming a vogue word an ordinary word is often transmogrified into a metaphor. Consider *window*, which appears frequently these days in the trappings of *window of opportunity*, a metaphorical bit of



glass that, you will have noticed, keeps endlessly opening and closing. Or the new meaning of *narrative*, which used to mean a connected account of events but now means, roughly, my story the way I want it told, or rather spun. In a recent issue of *Vanity Fair*, poor Monica Lewinsky writes, "I've decided, finally, to stick my head above the parapet so that I can take back my narrative and give a purpose to my past." In the same article she blames the Clinton administration, Kenneth Starr, and the media, who "were able to brand me. And that brand stuck." *Branding* is of course another vogue word; it means something like setting your own image (a vogue word of an earlier day), deciding how you or your candidate or corporation wish to appear. Talk to any recently minted MBA for more than 10 minutes and branding, like a Tourette's tic, will pop up.

The latest vogue word to ignite my ever flammable ire is *journey*. I first noted the voguish use of this word four or so years ago when the 37-year-old daughter of an acquaintance of mine was undergoing the tortures of breast cancer: chemotherapy, nausea and weakness, hair loss, depression, the full catastrophe. When I asked this man how his daughter was doing, he answered that it was "a journey." Having cancer in one's thirties is no journey; it is instead wretched luck, horrible and hope killing.

When he used the word *journey* to cover the torments his daughter was going through, it was evident that for this man the word was, somehow, consoling. *Journey*, in its vogue word incarnation, is of course pure psychobabble. The advent of the word in its voguish form comes from the false wisdom holding that the effort to attain them is more important than any goals one might reach in life. How much easier for this man to say that his daughter's suffering is a journey than to describe in sad detail the nightmare she was going through. Some words,

Fowler writes, owe "their vogue to the ease with which they can be substituted for any of several different and more precise words," and *journey* is surely, is egregiously, one.

"Enjoy the journey," advises a television commercial for a resort and spa in Lake Geneva, Wisconsin. The word figures to show up a lot more before long. Watch for it. Its detachment from reality recommends it to those who fancy themselves deep thinkers. Life, be assured, ain't no picnic; and it ain't no journey, either. What it is is much too complex—a thick purée of fate, luck, will, character, historical circumstance, and much more—to be captured by the word *journey*. Those who use it to do so may not know it, but they themselves are intellectually traveling in steerage.

JOSEPH EPSTEIN

A No-Brainer for the House GOP

This fall, voters will get another chance to register their opinion on Obamacare. President Obama's signature legislation is causing health costs to spike, federal spending to soar, doctors to leave their profession, millions of Americans to lose their health plans, and millions more to be coerced into buying overpriced insurance against their will. For those who care about quality and affordability in health care, fiscal solvency, the separation of powers, liberty, or economic prosperity—which is to say pretty much everyone—Obamacare is a disaster, and it must be repealed and replaced with a well-conceived conservative alternative.

Yet, despite having broken with more than 200 years of precedent in requiring all Americans to buy a product from a private company—namely, Obamacare-compliant health insurance—the Democrats who passed Obamacare are accusing Republicans of being in the pocket of health insurance companies. They accuse Republicans of wanting “to put insurance companies back in charge of Americans' health care.” Meanwhile, voters would like the party to take a clear stand against cronyism, which benefits well-connected operatives in Washington at the expense of citizens in the heartland.

Well, there's a way for congressional Republicans to go after Obamacare, cronyism, and the Democrats' assertion that the GOP is in league with health insurers, all at once: by repealing Obamacare's risk-corridor bailout. And after overcoming some internal resistance from don't-rock-the-corporate-boat Beltway Republicans, it looks as if the House GOP is going to move in this direction. If they do—and if they were also to refuse to reauthorize the Export-Import Bank and were to move to reverse President Obama's failed amnesty policies—Republicans could legitimately make the case this fall that they stand with Main Street America.

Obamacare's risk-corridor program is a way of shifting risk from insurance companies to taxpayers—of putting the latter on the hook if the former lose money. The risk corridors' existence incentivizes insurers to lowball their prices, since they know taxpayers will help cover their losses. It's bad policy, and it's unpopular. Recent polling by McLaughlin & Associates, commissioned by the 2017 Project, asked, “If private insurance companies lose money selling health insurance under Obamacare, should taxpayers help cover their losses?” Only 10 percent of respondents said yes; 81 percent said no. Yet, absent congressional action, that is exactly what's poised to happen.

In response to recent inquiries by the House Oversight Committee, 12 insurance companies said they expect to be

taking money out of the risk corridors this year, 1 expects to be paying in, and 2 expect it to be a wash. In all, health insurers expect to take nearly \$1 billion more out of the program this year than they pay in—at taxpayer expense.

If that weren't bad enough, President Obama has converted the risk corridors into a slush fund, which he has used to help cover up his lawless refusal to execute Obamacare as written. When, amidst a public outcry, Obama unilaterally declared that some Americans whose insurance policies had been banned by Obamacare could temporarily keep those policies after all, insurers weren't happy. They had been planning on those people—most of whom are generally healthy—being forced into the exchanges. When insurers complained, Obama responded by changing the risk corridor rules to funnel more money their way. This helped buy the insurers' silence in the face of the president's lawlessness.

Hans Leida, an actuary for the independent consulting firm Milliman, has explained that the administration's

transitional policy for canceled plans allowed certain individual and small group plans that did not comply with the ACA [Obamacare] to be renewed for one additional year. This change, announced long after health insurers filed their premium rates for 2014, could result in a less healthy population in the ACA-compliant market, since healthier individuals may be more likely to retain their noncompliant plans. If this occurs, there is an increased risk that the filed premium rates could be inadequate to cover the higher claim costs. To mitigate this concern, the government proposed changes to certain rules for 2014—namely, the federal reinsurance program, the risk corridor program, and the medical loss ratio (MLR) requirement.

Seth Chandler, a University of Houston law professor with a background in insurance law, is blunter, writing that Obama's gambit is “an extremely sneaky way of sending money to the insurance industry.”

In addition to all of this, Obama has no lawful authority to pay insurers through the risk-corridor program, even in the very unlikely event that payments *don't* exceed receipts. Any payments would require an appropriation, and Congress hasn't appropriated any money for the risk corridors. Yet the Obama administration is now saying the money for such payments can be understood as “user fees,” which—the administration says—“section 1342 [of Obamacare] authorizes the collection and payment of.” In truth, section 1342 contains fewer than 500 words, none of which is “user,” “fees,” or anything akin to “user fees.”

The nonpartisan Congressional Research Service notes that federal agencies are prohibited “from making payments in the absence of a valid appropriation,” and that Obamacare’s risk-corridor section “would not appear to constitute an appropriation.” It adds that agencies “may not create a revolving fund absent specific authorizing legislation,” and “there does not appear to be sufficient statutory language to create a revolving fund.”

So, in addition to providing a taxpayer bailout for insurers, the risk-corridor program has become a vehicle for presidential lawlessness.

Repealing the risk corridors is a way of putting the issues of Obamacare, cronyism, and the rule of law front and center this fall. The House, which now seems ready to move, should do so expeditiously. Bill Cassidy (R-La.) and Leonard Lance (R-N.J.) have championed legislation to repeal the risk corridors, with the active support of Energy and Commerce Committee chairman Fred Upton. If the House passes such legislation by early September, Democrats in the Senate and the White House will have to defend a program that’s bad policy and bad politics: an unholy alliance between Big Government and Big Insurance that prospers at the expense of taxpayers—and voters.

—William Kristol & Jeffrey H. Anderson

Senate Mischief

On the topic of *Burwell v. Hobby Lobby*, the contraceptive mandate case decided on the last day of the recent Supreme Court term, the Democrats are fighting mad. They don’t like the decision. No, they despise it. Indeed, their rhetoric on *Hobby Lobby* has become so misleading, even strange, that the fact checkers at the *Washington Post* have felt compelled to call them to task, reminding the Democrats, among other things, that the decision does not outlaw contraceptives, and it does not allow bosses to prevent women from seeking birth control.

The Democrats want to “negate” the ruling. But as the Senate bill that would achieve that goal makes clear—a measure Majority Leader Harry Reid vows to keep pushing over the next two years—they want to do far more than that. They want to nullify religious freedom guarantees in the context of health care.

Hobby Lobby, you’ll recall, concerned the increasingly notorious Affordable Care Act, under which the Department of Health and Human Services has responsibility for determining what preventive care should be included in most employer-based health plans. The department decided that those plans should offer all 20 federally approved contraceptives. The department exempted from the mandate religious institutions (such as churches and synagogues) and, under

pressure, offered an “accommodation” to religious nonprofits. Other employers were subject to the mandate, with refusal to comply resulting in hefty fines.

Hobby Lobby is neither a church nor a religious nonprofit but a closely held, for-profit company, and thus was obligated to carry out the mandate. But its owners believe that four of the mandated contraceptives induce abortion, which they oppose on religious grounds. Joined by another closely held company of the same mind on abortion, Hobby Lobby sued the government, arguing that the mandate violated the Religious Freedom Restoration Act of 1993, which requires federal statutes that “substantially burden” religion to be justified as the “least restrictive means” of achieving a “compelling governmental interest.”

A five-justice majority held that the mandate did constitute such a burden on religion in the cases under review, and that it was not the least restrictive means of achieving the government’s interest, since there already was a less restrictive one in play—the accommodation for religious nonprofits, under which the insurance company, not the employer or the insured employee, pays for the religiously objected-to contraceptives.

The “accommodation” alternative, under challenge in other court cases, would enable the government to meet its health care objectives while respecting the religious liberties of employers like Hobby Lobby, with all mandated contraceptive coverage still available—and at no cost to the insured, as promised in the ACA. So would the even less restrictive alternative, in which the government simply paid the bill.

But such arrangements are hardly acceptable to the Democrats. S 2578 applies to employers in general, forcing them to comply with the contraceptive mandate even if they have religious objections to any part of it. That would “negate” *Hobby Lobby*, but the bill goes much further. Employers would also have to comply with all present and future mandates, not just the one for contraception, since it would be unlawful for an employer “to deny coverage of a specific health care item or service” required under a federal statute or regulation. Were the government to add abortion to the list of “preventive services,” for example, no employer would have legal grounds to object.

One might think religious institutions and religious nonprofits would be unaffected by S 2578. But the bill must be read closely. Both the exemption from the mandate for the former and the accommodation for the latter are provided for through regulation; neither would survive the regulatory change this bill contemplates. All employers would be treated the same—no exemption or accommodation for any, even churches.

S 2578 states that it “shall apply notwithstanding any other provision of Federal law, including Public Law 103-141.” That public law, of course, is RFRA. And the reason it can be so easily ignored, apparently, is that “the Congressional intent in enacting” RFRA is “consistent” with the substance of S 2578. In other words, there is nothing in RFRA

to protect religious liberty in the context of health care.

The intent of RFRA, however, as Justice Alito pointed out in his opinion for the majority in *Hobby Lobby*, was to expand protection for religious liberty, not contract it. The new law the Democrats are promoting would do the opposite. That is the debate the country should be having—whether the Democrats should be allowed to nullify a federal law that protects religious freedom. Republicans, especially those running for the House and Senate this fall and those with presidential ambitions, should be prepared to carry this argument, lest they wind up on the defensive again in another depressing installment of the so-called war on women.

—Terry Eastland

The VA Debacle

The twilight of the scandal-plagued Obama administration is upon us, and voters are faced with a real conundrum. Which of the failures of progressive governance should be confronted first? The Mideast is an even more blood-drenched goat rodeo than pessimists predicted. There are 50,000 illegal immigrant children warehoused at the border. The IRS is starting to bear a resemblance to the Stasi. Then there's the roiling Obamacare disaster, and the related politically driven crusade against religious liberty. The Bergdahl swap. Benghazi. Fast and Furious. One could go on.

But amidst this smorgasbord of fiascos, addressing the body count at the Department of Veterans Affairs (VA) should be given priority over all other domestic scandals. The breadth of problems at the VA has proven continually surprising, even as the torrent of unrelated bad news knocks new revelations about VA corruption off the front pages. The Office of Special Counsel investigating the VA is looking into 67 whistleblower complaints—25 of which have been initiated since June 1. Just last week, a Philadelphia VA employee told Congress that mail “sat in boxes untouched for years” at the pension office. VA workers then falsified dates to make the backlog of claims appear smaller, thus ensuring they got bonuses and salary increases. How corrupt was the Philly VA? When congressional investigators came to visit, the Philadelphia Regional Office put them in a workspace that was bugged with video cameras and microphones. And the VA's logjammed bureaucracy continues to kill people. On July 3, a 71-year-old veteran collapsed in the cafeteria at an Albuquerque VA hospital. He died waiting 14 minutes for the fire department to arrive and take him to the emergency room *in the adjacent building*. “They have so many workers,” one veteran at the hospital told the Associated Press. “They could have put him on the gurney and run faster than that ambulance.”

There's no question that the extent and urgency of the problems at the VA demand swift and comprehensive action. Further, this scandal is easier to address, as it is harder to politicize, than some of its rivals. The problems at the VA also serve to highlight issues underlying other Obama administration scandals. When it's proven that corrupt and incompetent employees exist throughout the VA, it will be harder for Democrats to defend keeping such people entrenched at the IRS. And shining a light on the VA's version of government-run health care—our very own single-payer system for millions of veterans—would further accelerate public demand to repeal Obamacare.

Unfortunately, even with the lives of veterans hanging in the balance, the wheels of government can't be counted on to institute the right reforms. Fortunately, the House and Senate VA Conference Committee is working on legislation to fix the VA. They would do well to heed the suggestions of Pete Hegseth, the CEO of Concerned Veterans for America. Hegseth has offered some sensible guidelines for what the legislation should accomplish.

- First, there need to be clear standards for how long veterans can be made to wait and how far they need to travel to get health care—no more than 21 days and 60 miles.

- Second, there need to be meaningful assurances that veterans' claims will be reimbursed promptly. Medicare and Tricare seem to have no problem getting reimbursements out in 30 days, so there's no excuse for the VA taking years.

- Third, any additional funding given to the VA should be limited and paid-for. The VA has a \$160 billion annual budget, which has grown 68 percent since Barack Obama took office. Even Obama concedes that “before we start spending more money, our first job is let's take care of some basic management issues that I think can be fixed.” More money sloshing around in the VA system without a clear purpose is only going to encourage corruption.

- Finally, there should be accountability measures to make sure these reforms are maintained.

In adding to Hegseth's suggestions, we would again underscore the need to clean house. The departure of VA secretary Eric Shinseki sent a message, and his replacement, former Army Ranger and Procter & Gamble executive Bob McDonald, seems a good one. But it's doubtful one leader can reform an institution so broken. Firings in the VA ultimately need to be systemic, not symbolic. Whistleblowers have reported extensive malfeasance at every level of the system, including the physical abuse of veterans and other criminal activity. Guilty employees need to be terminated and subject to criminal charges if warranted.

Alas, the federal government is so dysfunctional that these basic reforms constitute an ambitious agenda. But America's vets have never given up when the odds were against them. The least we owe our veterans is to be as dogged in protecting them as they were protecting us.

—Mark Hemingway



The new Lhasa River Bridge: And the trains run on time.

In Tibet to Stay

China builds a spiffy police state.

BY MAX BOOT

Seven Years in Tibet was the title of a popular book and movie. I spent only five days in Tibet in early July—just long enough to get adjusted to its headache-inducing altitude (the capital is 11,800 feet above sea level)—so I hesitate to draw sweeping conclusions. But even a brief visit revealed realities beyond the headlines, which normally focus only on events such as monks burning themselves to death to protest Chinese occupation. Visiting two of the largest cities, Lhasa and Tsetang, and driving around the countryside, I saw the benefits as well as the bane of China's rule.

Benefits? I admit to being surprised to find any, given the (understandable)

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focus of “Free Tibet” activists on how terrible China's rule has been. The Chinese have killed hundreds of thousands of Tibetans and inflicted upon them oppression that has been described as cultural genocide. But, high as the cost has been, the benefits of Chinese sovereignty are undeniable, especially to someone who had just come from India and Nepal, both democracies that are considerably freer than China but also considerably poorer. Per capita income in Nepal is \$730 a year; in India \$1,570; in China, \$6,560.

I was surprised to find that Lhasa and Tsetang are not nearly as decrepit as Kathmandu or even Mumbai. In fact they are not decrepit at all—both cities look brand spanking new. That's because, for the most part, they are. China has poured billions of dollars into Tibetan economic development. The result: smooth concrete roads (not like the bumpy ones full of potholes in Nepal and India); countless new stores, apartment blocks, and

single-family homes; the first-ever railroad on the high plateau; a new airport in Lhasa; and clean, orderly sidewalks (unlike the dirty, littered, chaotic ones in Nepal and India). You do not see the poor, huddled masses sleeping on the streets of Lhasa, as is common even in India's biggest cities. Nor do hordes of beggars confront you. Even traffic is better regulated. Lhasa and Tsetang resemble relatively prosperous cities anywhere else in China—and therein lies the problem.

For Beijing is undertaking an aggressive program of cultural and political imperialism. All the money poured into Tibet is designed to reconcile Tibetans to their status as subjects of Beijing, which they have been ever since Mao Zedong's Red Army invaded in 1950. (A Tibetan uprising in 1959, carried out with CIA support, was brutally suppressed.)

China's imposition of authority is not subtle. Red Chinese flags fly everywhere—even (or especially) from the Potala Palace overlooking Lhasa, where generations of dalai lamas resided before the current occupant of that august politico-religious post (the 14th dalai lama) decamped in 1959 to exile in India. Just as common are propaganda posters depicting all of China's presidents, from Mao Zedong to the incumbent, Xi Jinping. Chinese guards in orange jumpsuits that make them look like henchmen from some Bond movie are omnipresent inside Buddhist monasteries. No doubt undercover operatives are just as numerous, if less conspicuous.

Surveillance cameras ring both Lhasa and Tsetang, and Chinese Army bases are a common sight in both cities even if official rules prohibit photographing them. The Public Security Bureau (China's powerful police force) actually operates checkpoints on the roads where drivers have to present their identification to be allowed to proceed. As elsewhere in China, Internet access is strictly censored; anyone trying to access Facebook, Twitter, or Gmail is out of luck unless equipped with elaborate software to do an end run around the Great Firewall of China. Simply getting a permit

NEWSOON

to visit Tibet is a tortuous process (an ordinary Chinese visa will not do), and foreign visitors can be denied entry on a political whim. (Japanese tourists are forbidden to come because of tensions between Beijing and Tokyo.) The State Department's 2013 human rights report noted "other serious human rights abuses" including "extrajudicial killings, torture, arbitrary arrests, extrajudicial detentions, and house arrests."

To its credit, Beijing has reopened and rebuilt monasteries that were trashed during the Cultural Revolution in the 1960s. Buddhist monks have limited religious freedom, as long as they don't display any pictures of the current dalai lama. But that has done little to lessen resentment among Tibetans, who fear that they are becoming a minority in their own country as Beijing continues to encourage and subsidize Han Chinese immigration.

The Tibetans know they are second-class citizens in a country not their own—they have a separate language, history, and religion from those of the Han Chinese, even if they were ruled by Chinese dynasties for part of their long history. Their fate is all the more bitter in that, unlike other Chinese, they are denied the right to travel freely abroad, and they must deal with the often rude and condescending attitudes of Chinese newcomers who act like colonialists anywhere. As the State Department's report further noted: "There was a perception among Tibetans that authorities systemically targeted them for political repression, economic marginalization, and cultural assimilation, as well as educational and employment discrimination."

The prospect of real freedom for Tibet seems ever more remote—it will become thinkable only if China itself has a change of regime to become as democratic as Taiwan. Even local autonomy under China's imperial oversight, as advocated by the dalai lama, seems unlikely. The level of Chinese investment in Tibet makes clear Big Brother is here to stay. The best that Tibetans can hope for is a bit more breathing room inside their gilded cage. ♦

How to Play a Weak Hand in Iraq

Counter ISIS without propping up Maliki.

BY HILLEL FRADKIN, ABRAM N. SHULSKY & ERIC BROWN

Iraqi prime minister Nuri al-Maliki knows what he wants: a third term in office for himself and U.S. military help in defeating ISIS (now the Islamic State). Political reconciliation between Iraq's Shiites and Sunnis, and between Arabs and

with the United States. Since then, however, it has been downhill toward sectarianism—and its inevitable result, overreliance on Iranian support to stay in power. Maliki may not yet be as dependent on Iran, and on Qassem Suleimani, commander of the Quds Force of the Iranian Islamic Revolutionary Guard Corps, as President Bashar al-Assad of Syria, but he is moving in that direction.

The Obama administration recognizes this situation, to some extent. It wants to use its military aid as leverage to force Maliki to govern in a less sectarian manner. It has even suggested that this process would be facilitated by replacing Maliki with some other Shiite leader who could deal with the Sunnis and Kurds unimpeded by memories of the last five years.

Unfortunately, this posture, while well intentioned, reflects a serious underestimation of the difficulties of the situation and of the damage that has been done to the dream of a united, democratic, and federal Iraq. Given the collapse of U.S. influence, the type of military aid Obama might conceivably provide is simply insufficient to effect the political changes he wants. (In any case, the actual leverage could come only from the threat to withdraw that military support, a threat that would be implausible and almost impossible to implement in the middle of the fight.)

Even when the United States had a large number of troops in Iraq, it found it challenging to dampen sectarianism and was often unable to do so. The United States could insist, for



Maliki: looking less to the United States . . .

Kurds, can wait. In the words of one of his colleagues in the State of Law Coalition: "Things on the ground are much more important. Solving them will help solve the political problem for us." But, of course, the current crisis has its origins in the sectarianism that the Maliki government exhibited well before "things on the ground" got as bad as they are now.

Maliki had one bright shining moment as a national leader—his impetuous but (thanks to U.S. support) ultimately successful campaign to redeem Basra from Sadrist chaos in the spring of 2008 and his bucking Iranian pressure by agreeing, later that year, to a Status of Forces Agreement

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IMAGES: NEWSOON

example, that the defense minister be a Sunni—but it could not prevent Maliki from bypassing the Ministry of Defense and asserting operational control of the Iraqi Army directly (through such innovations as the Office of the Commander in Chief and the provincial Operation Commands).

Similarly, the United States was unable to support adequately the members of the Awakening movement among Sunnis in Anbar Province and elsewhere, which was so important for the success of the surge. The Sons of Iraq—the Sunnis who rallied to the anti-al-Qaeda banner—were supposed to be integrated into the Iraqi security forces or otherwise employed. As long as the United States had a big presence in Iraq, it could ensure that they at least received monthly salaries. But as the U.S. presence was drawn down, it proved impossible to force the Iraqi government to take a generous approach toward them.

The United States was involved in reaching the 2010 agreements by virtue of which Maliki was elected to a second term as prime minister. As U.S. influence waned, however, the power-sharing mechanisms called for in the agreement were never put into place. Instead, Maliki concentrated even more power in his own hands, helped out by a friendly court that, for example, gave him direct control of the Central Bank and the High Electoral Commission and gave the government a monopoly on the introduction of bills in the Iraqi parliament.

Thus, the struggle against sectarianism and for an Iraq strong enough to withstand Iranian meddling has to be conducted in a new way. Iraq can't go back to the old model of prolonged wrangling which produces a paper power-sharing agreement that the prime minister is then able to ignore. And, under current circumstances, the United States certainly can't be content with an agreement of the sort it was unable to enforce even when its military presence in Iraq was orders of magnitude greater.

The United States needs leverage,

but it won't come from bargaining with a central government that will insist on our help in defeating its enemies first. Rather, the leverage will come if the United States is able to change facts on the ground, so as to ensure that the various segments of Iraqi society have the ability to withstand Baghdad's centralizing tendencies. The United States can militarily support the central government's resistance to further advances by ISIS, but it shouldn't allow Maliki to constrain its contacts with other segments of Iraqi society.

This means several things. The United States shouldn't automatically side with Baghdad in its disputes with Erbil, the capital of the Kurd-



... and more to Iran

ish Regional Government (KRG). Despite much U.S. prodding, Iraq has never been able to pass a hydrocarbons law outlining the specific powers of the KRG with respect to oil and gas resources in its area. The current U.S. policy of trying to block the KRG's sales of oil via the Turkish pipeline no longer makes sense: If it wants leverage to force Baghdad to pay more attention to the concerns of the non-Shiite population of Iraq, maintaining a discreet silence on the oil sales issues will speak volumes.

The United States needn't support Kurdish independence from Iraq, and the KRG is unlikely to expect such explicit support, at least any time soon. But the United States must be much more supple and sophisticated in allowing current tendencies to play themselves out, if it wants to recreate the Iraqi political system on a sustainable basis.

The United States should also be trying to revive the connections with Sunni tribal and other leaders that it had during the days of the Awakening. The armed forces of the Islamic State are in fact a coalition, including old Baathists and various tribal groups, many of which do not share ISIS's religious extremism. The possibility of conflict within the coalition is real, and there have already been some manifestations of it. The United States will need to find allies among these Sunni groups and stand ready to help them when and if they decide they have had enough of religious extremism. It won't be able to do that if it tells them the only alternative to the religious extremism of the Islamic State is a sectarian government in Baghdad dependent on Iran.

In short, our ability to influence events in Iraq has diminished severely over the past years. Therefore, the first step is to build up our influence with and support for those groups that are amenable to it. The United States can then try to help these groups rebuild the Iraqi government on a new basis that will resist the centralizing tendencies we have seen. This would not necessarily require a change in the Iraqi constitution—the current document, for example, would allow the Sunni provinces to form a regional government similar to the KRG and thereby gain a great deal of autonomy—but it would require a new mindset in Baghdad political circles.

Perhaps a political genius will arise on the Iraqi scene who will be able to balance all the political forces of the country, play them off against each other, and reunite them on a democratic, federal basis. Unfortunately, no such leader—who would have to have the political skills of a de Gaulle at least—has appeared on the horizon. So, in the more likely event that Iraq will have to muddle through with something like its current system, direct ties to the various communities of Iraq will give the United States some hope of influencing its course in a less sectarian, or at any rate less centralized, direction. ♦

The Ethics of Food and Drink

Starvation is not mercy.

BY WESLEY J. SMITH

Should the law compel nursing homes to starve certain Alzheimer's patients to death? This is not an alarmist fantasy, but a real question, soon to be forced by advocates of ever-wider application of assisted euthanasia. The intellectual groundwork is already being laid for legislation or court orders requiring nursing homes, hospitals, and other facilities to withhold spoon-feeding from dementia patients who, though they take food and drink willingly, once requested the withholding of life-prolonging measures in an advance medical directive.

Consider the Bentley case in Canada. A lawsuit was filed in 2013 in British Columbia by the family of an Alzheimer's patient named Margot Bentley. Bentley had signed an advance directive instructing that she be refused life-sustaining treatment—or be euthanized—if she became unable to recognize her children.

Bentley is now in that lamentable condition. But she doesn't need life-sustaining treatment like a respirator or feeding tube, and she willingly takes food and water by mouth. Moreover, euthanasia is illegal in Canada. Thus, there is no legal way

of making sure she dies immediately.

Bentley's family thinks this is unjust and asked a court to order her nursing home to starve her to death. The trial court refused, in part because Bentley's advance directive did not specifically reject spoon-feeding. The case is now on appeal. Of all the current litigation aimed at undermining the sanctity of human life, this may be the most dangerous. If successful, it would open the door to what I call VSED-by-proxy. Let me explain.

Suicide itself is not illegal, and patients have long enjoyed the right to refuse medical treatment, even if their refusal hastens

death. For decades, moreover, courts have deemed artificial nutrition and hydration to be medical treatment. Removing or withholding unwanted feeding tubes and respirators is a routine part of contemporary medical practice. But euthanasia advocates want more. They argue that people who don't require medical treatment to remain alive also have a "right to die."

Already, Oregon, Washington, and Vermont allow assisted suicide: Doctors may prescribe lethal drugs for patients expected to die within six months. Some activists urge that elderly people who are "tired of life," those with disabilities, and the chronically ill should also have a legal means of obtaining help to end their lives. Here's how the



Margot Bentley in 2000, when diagnosed with Alzheimer's

assisted-suicide advocacy organization Compassion & Choices makes the case in one of its booklets:

Some call us because they feel overwhelmed by the symptoms of chronic and progressive illnesses that fill their days with misery and suffering. There are also those who may not be seriously ill but are simply "done." After eight or nine decades of life, they want information about ways to gently slip away in a peaceful and dignified manner.

Regardless of their clinical circumstances, these individuals share a common desire to maintain autonomy over their own end-of-life decisions. They want to die as they have lived, making the important decisions that affect their lives with collaboration and support from trusted healthcare providers, family members and other caregivers.

People like these are prime candidates for suicide by voluntary starvation, known in euthanasia parlance as "voluntarily stopping eating and drinking" (VSED). A person commits VSED by refusing all sustenance. To ensure that death is not impeded, the suicidal person leaves instructions explicitly refusing any medical intervention to nourish them. Because VSED can cause agonizing symptoms, advocates suggest that the suicidal person find a sympathetic doctor or hospice to provide pain relief.

(It is important to distinguish here between VSED and the point in the process of dying when a patient naturally stops taking food and drink. This is not suicide, and starvation is not the cause of death. Indeed, in such cases it is medically inappropriate to force food upon the patient.)

But what about a Margot Bentley—someone suffering from dementia, who eats and drinks willingly, but who once signed an advance directive calling for the withholding of treatment? Some bioethicists—reflecting the mix of utilitarianism and autonomy-worship that predominates in the field—have leapt to support VSED-by-proxy. Writing in the May-June 2014 *Hastings*

COURTESY OF THE BENTLEY FAMILY

Wesley J. Smith is a senior fellow at the Discovery Institute's Center for Human Exceptionalism. He also consults for the Center for Bioethics and Culture and the Patients Rights Council.

Center Report, Paul T. Menzel and M. Colette Chandler-Cramer argue for allowing people to use an advance directive to order themselves starved if they become incompetent:

Such directives are . . . arguably already legal. They follow logically from the intersection of two existing legal rights: directives for refusing life support and VSED. The principle behind [advance medical directives] is that people do not lose their rights when they become incompetent; someone else just has to exercise those rights for them.

The driving element behind VSED is that forcing people to ingest food is as objectionable an intrusion on bodily integrity, privacy, and liberty as imposing unwanted medical treatment. Thus, if incompetent people do not lose their rights to refuse life-saving treatment, then people do not lose their right to VSED when incompetent either.

This is rank sophistry. Even today, the courts do not deem

spoon-feeding to be medical treatment. It is basic, humane care—no different ethically from turning a patient to prevent bed sores or providing hygiene. Just as an advance directive instructing that a patient not be kept clean should be disregarded, so should an order to starve a patient.

Second, VSED is suicide. Legally requiring nursing homes to commit VSED-by-proxy would be forcing them to kill—and to kill cruelly. A legal regimen that did this would drive many doctors and nurses out of medicine.

Third, even in the states where assisted suicide is legal, the person being helped by a doctor to die has to be capable of making decisions. Demented patients are incompetent.

Finally, in cases such as Bentley's, the patient is not being force-fed. She is taking nourishment willingly.

Some ethicists are dismissing this last objection. Thaddeus Mason Pope in the Spring 2014 *Journal of Clinical Ethics* argues that Margot

Bentley should be starved because she is now incompetent and thus is legally unqualified to change her mind about dying.

It seems remarkable to hold that, when a spoon or glass is pressed to the lips of someone with severe dementia, the mere opening of her or his mouth evidences decisional capacity to continue eating and drinking. Mrs. Bentley may have the capacity to "communicate a choice." But this is just one component of capacity. She does not understand the relevant information, does not appreciate the situation and its consequences, and cannot reason about treatment or care options.

In other words, Bentley should not be allowed to thwart her previous instruction by willingly taking nourishment. If Pope's view prevails, an instruction to be starved, signed while the patient was competent, would prevail even over an incompetent patient's begging for food—a

Opening Doors to People With Disabilities Worldwide

By Thomas J. Donohue

President and CEO
U.S. Chamber of Commerce

In the United States and around the world—where too often there are jobs without people and people without jobs—there is vast and often untapped potential in individuals with disabilities. The Americans with Disabilities Act (ADA), landmark legislation passed in 1990, has made it possible for more U.S. citizens to participate and thrive in the workforce and contribute to the economy.

Globally, there are many people with disabilities who are willing and able to work, but they don't have the same accommodations. The Convention on Rights of Persons with Disabilities (CRPD), a treaty modeled after the ADA, would help change that. It would establish a framework for creating legislation and policies in other countries. And it would protect the rights and dignity of all people with disabilities, giving them greater opportunity to work,

travel, and lead full and productive lives.

Now we need the Senate to approve it. There are plenty of reasons to support the CRPD—the most obvious and important one being that it's the right thing to do for people across the globe who are living and working with disabilities. But there are economic and competitiveness benefits for the United States as well.

The CRPD would leverage the leadership and innovation of American business in setting accessibility standards. Guided by the ADA, and pioneered by the private sector, the United States has developed the best products, technologies, and services to help people with disabilities. An active U.S. role in implementing the CRPD would enable us to share these standards worldwide and help meet the needs of 1 billion people with disabilities—while creating growth and jobs in our own economy.

Moreover, ratifying the CRPD would create a level playing field for American businesses. Our companies compete with foreign counterparts that don't

have to adhere to our high standards for accommodation and accessibility. That's a disadvantage for U.S. businesses and a disservice to global consumers with disabilities.

Success in the global economy often means doing business beyond our own borders. Until other countries ensure that people with disabilities have access and opportunities to work and travel, we will always be limited in our ability to do business abroad. The CRPD would greatly expand the pool of available workers for positions in U.S. businesses overseas and allow American workers to travel and conduct business freely in other countries.

The Senate Foreign Relations Committee will soon consider this important treaty. We urge our leaders to seize the opportunity to boost the U.S. economy and help people with disabilities worldwide.



U.S. CHAMBER OF COMMERCE
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horror that actually happened in a tube-feeding case in Florida.

As if such advocacy weren't alarming enough, it must be noted that patients deemed candidates for VSED-by-proxy are among the most expensive for whom to care—this in a time of intense government efforts to control medical costs. The financial pressures all argue for euthanasia. Indeed, the advocates' agenda may already have quietly penetrated the culture of the medical technocracy.

A patient's chart informs the attending medical staff what life-sustaining care to provide or withhold. This information is contained in the Physician's Order for Life-Sustaining Treatment (POLST) form, and some state forms may already tacitly authorize the withholding of spoon-feeding.

California's POLST, for example, in Section C, "Artificially Administered Nutrition," instructs whether, and for how long, to use a feeding tube. But it also states: "Offer food [to the patient] by mouth if feasible and desired."

What does that mean? If desired by the patient now? If desired by the patient in an advance directive? If desired by the family or the care facility? Is it possible that the words "if desired" are setting the stage for allowing the withholding of spoon-feeding as a matter of policy? Hawaii's form has similar language.

If the law ever allows patients to order caregivers to starve them to death, the next step will surely be to legalize lethal injections for such patients. After all, why force anyone to undergo a slow and potentially agonizing death by VSED or VSED-by-proxy when he or she can be dispatched quickly? Euthanasia pursuant to advance directive is already practiced in the Netherlands and Belgium.

It is possible that this has been the stealth goal from the time advocacy for removing feeding tubes from incompetent patients began decades ago—and that now, with the open advocacy of VSED and VSED-by-proxy, the camouflage is coming off. ♦

A Glimpse of Our Health Care Future

The pen is mightier than the Freud.

BY P.J. O'ROURKE

To what will Obamacare lead? If the administration's health policies continue on their present trajectory, Obamacare will lead to some form of European-style single-payer national health system.

I have a sure and certain hope that I'm wrong about that. Sure and certain because my track record with political predictions is nearly perfect: Easy walk-over by George H.W. Bush in the 1992 election. Resignation of Bill Clinton during the Monica Lewinsky scandal. Speedy Hayekian self-organization of Iraqi society after the toppling of Saddam Hussein. Chief Justice Roberts voting that the Affordable Care Act is unconstitutional.

And hope because I retain my faith in the American creed of personal liberty and individual responsibility. Though my faith has been tested in such frequent, indeed standardized, ways that I'm beginning to feel like a public school child subjected to a federally mandated common core curriculum.

But this is no way to begin a rant. I must be careful not to lose my bad temper. That would result in raising the level of political discourse, which is something the *New York Times* is always calling for so it must be pernicious.

I was in Great Britain not long ago. I gave a speech about various aspects of the baby boom. (The British had one too.) Naturally I mentioned

the subject of demography, and how a population front-weighted with the old folks baby boomers have become plays hell with government benefits such as the National Health Service.

There was a question and answer period after the speech. I tried to keep the level of political discourse as low as possible: "How many in the audience are on a waiting list for treatment of a burst appendix?"

But the British—polite as always—responded that they were generally pleased with, even proud of, their National Health Service. (Give them credit for not looking a gift horse in the mouth, even if it does result in terrible dentistry.)

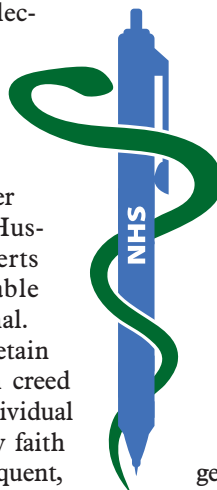
They pointed out that life expectancy in the U.K. is 1.2 years longer than in the United States. (Well informed, these British audiences.)

I countered that their extra longevity was mostly among men and had much to do with a U.S. murder rate of 4.8 per 100,000 versus their 1.2 per 100,000. Brits lag behind Americans in almost all forms of social chaos.

The British noted that their infant mortality rate was 4.5 per 1,000 live births while the U.S. figure was 5.2.

I charged them with not trying hard enough. Preterm births (those most likely to result in infant death) are 65 percent higher in the United States than in the U.K. The preterm births often lead to desperate attempts to save the life of the unborn child.

I went on to scold them for their cancer treatment. The breast cancer survival rate in the United States (where screening begins at 40 and



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takes place every one to two years) is 90.5 percent. The breast cancer survival rate in the U.K. (where screening begins at 50 and takes place every three years) is 78.4 percent. The overall cancer survival rate in the United States is 71.18 percent, compared with 54.48 percent in the U.K.

The British responded that the United States aggressively treats cancer in people so old and frail that they “survive” the cancer by dying of something else first.

And so on, all in the most civil manner. After the speech I was talking to members of the audience when a couple approached and handed me a ballpoint pen. It was an ordinary plastic ballpoint, a little thicker through the barrel than usual, and labeled “Hertfordshire Partnership NHS (NHS Foundation Trust).”

“Uh, thanks,” I said.

“Notice the metal strip along the pen,” said the male half of the couple. “It has a little window shade sort of thing attached to it. Pull out the window shade later when you’ve got time. It’s a laugh.”

“It is a laugh,” said the female member of the couple. “And we’ve both been working for the NHS for years.”

Back in my hotel room I pulled the metal strip, and a 3-by-7-inch scroll emerged. Here is what, and all of what, was printed upon it:

TIPS FOR EMOTIONAL WELLBEING

Share your feelings with family and friends

[I tried this when I got home. Much angry shouting and crying and some thrown crockery ensued.]

Eat well

[My wife certainly wasn’t going to be cooking dinner for me that night. I assume pizza delivery counts as eating well if I order the “Vegetarian Special.”]

Keep active

[I was quite active, dodging the soup tureen hurled at my head.]

Drink sensibly

[The NHS should have listed this before “Share your feelings with family and friends.”]

Write down your troubles

[I’m a writer for Pete’s sake. What

does the NHS *think* I do all day?]

Ask for help

[I thought that was what I was doing when I unrolled the little window shade.]

Learn how to relax

[See “Drink sensibly” above.]

Do something you enjoy

[See “Learn how to relax” above.]

Remember your good points

[I have foresight. I remembered to buy Scotch at duty-free.]

Care for others

[Ended up ordering the “Meat Lover’s” pizza. I shared it with the dog.]

So I will alter my prediction. To what will Obamacare lead? Obamacare will lead to getting free psychiatric counseling from a government-provided ballpoint pen. ♦

Who Gets to Draw the Lines?

An electoral blind spot for conservatives.

BY MICHAEL WARREN

It looks like Florida legislators are heading back to the drawing board—literally. On July 10, Tallahassee circuit court judge Terry Lewis ruled that the GOP-run legislature violated the state constitution by redrawing two congressional districts “with the intention of obtaining enacted maps . . . that would favor the Republican party.” The state won’t be appealing the decision, and, following the 2014 midterm elections, the legislature will have to approve a new map. But what at first glance looks like a good government victory against the scourge of gerrymandering is actually the result of a years-long coordinated liberal campaign to set the rules for elections.

First, it must be stated: Florida is one of the worst gerrymandering offenders in the country, and because Republicans have controlled the legislature since 1997, the bias has been toward the GOP. One of the districts invalidated by the court ruling, the serpentine Fifth, is a federally mandated “majority-minority” district that winds its way from the west side of Jacksonville southward in a narrow

band along the St. Johns River, jutting westward to take in Gainesville. It then shoots back east through a big chunk of the sparsely populated Ocala National Forest before slipping down to take in half of Orlando, some 150 miles south of Jacksonville.

The Fifth was designed to be a safe seat for Corrine Brown, a black Democrat. Republicans tried to pack in as many of north and central Florida’s black Democratic voters as possible, meeting the requirements for minority representation under the Voting Rights Act while allowing for the creation of many more reliably Republican districts, like suburban Orlando’s Tenth, the other district invalidated by the ruling. The *Cook Political Report’s* Partisan Voting Index gives Brown’s Fifth District a 21-point Democratic advantage, but there are also six safe Republican seats surrounding hers. This 6-for-1 arrangement keeps both Republicans and Corrine Brown elected and happy, though it doesn’t do much for electoral competition.

It certainly didn’t do much for Judge Lewis. Reading the beginning of his 41-page decision, you can practically hear Lewis tsk-tsk as he cites George Washington’s denunciation

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of political parties as groups of “cunning, ambitious, and unprincipled men” who try to “subvert the power of the people and to usurp for themselves the reins of government.” That, Lewis implies, describes Republican legislators who drew Florida’s current congressional district map. Under Florida’s “fair districts” constitutional amendment, he concluded, the GOP legislature would need to draw a new map—a fair map.

But it depends on who’s defining “fair,” and currently, it’s all liberals. In 2005, the League of Women Voters of Florida began pushing for a constitutional amendment to govern the state’s redistricting rules. Two years later, the league joined with Common Cause, National Council of La Raza, the NAACP, Democracia U.S.A., and other liberal organizations connected to progressive mega-donor George Soros’s Open Society Institute to form a redistricting coalition called Fair Districts Florida. Later rechristened Fair Districts Now, the group’s directors include Peter Butzin, the Florida state director of Common Cause; Jorge Mursuli, the president of Democracia U.S.A. and a liberal immigration activist; and Leon Russell of the NAACP. Its president is the League of Women Voters of Florida’s own Pamela Goodman.

Fair Districts Now succeeded in putting two amendments on the ballot in 2010, one for state legislative districts and the other for congressional districts. Both amendments had vague and unobjectionable language requiring that districts not be drawn “to favor or to disfavor a political party or incumbent,” and where feasible to be “contiguous,” “compact,” and “make use of existing city, county, and geographical boundaries.” Then-governor Charlie Crist lent his support, and opposition was limited and late to the game. Both amendments were approved with an astounding 63 percent of the vote.

But the folks of Fair Districts Now, which raised a total of nearly \$3 million between 2010 and 2012,

were just getting started. Florida gained two congressional seats in the 2010 census. The Republican-led legislature set to work on making a new map, approving the final version in February 2012. By September of that year, the League of Women Voters of Florida, Common Cause, and La Raza had filed a lawsuit against the map, arguing two of the districts were drawn in contravention to the state’s constitutional amendments—which the groups themselves had drafted. The coalition chose to file in Florida’s Second Judicial Circuit in the liberal capital city of Tallahassee, where Lewis, an appointee of former Democratic governor Lawton Chiles, sat. Everything went according to plan, and it’s now likely the Republican legislature will have to redraw a congressional map more friendly to Democrats.

The Florida case exposes a blind spot of conservatives, says Cleta Mitchell, a Republican lawyer and activist. She points out that liberals have well-funded coalitions that focus on how elections are conducted—what she calls “process issues.” “It’s second nature to the left,” she says. There’s no conservative coalition responding to similar gerrymandering schemes happening in Democratic-controlled states like Maryland and Illinois, and liberals are noticeably less active in those states. (An Illinois coalition called “Yes for Independent Maps” quietly announced in July it would not be pursuing an amendment ballot initiative this year.)

“Our donors don’t fund these kind of issues,” Mitchell says. “They want to give money to policy issues and candidates.”

Hans von Spakovsky, a senior legal fellow at the Heritage Foundation, points to “dozens” of organizations with affinity for Democrats that dedicate plenty of resources to election and voting laws, from the NAACP and La Raza to the Lawyers’ Committee for Civil Rights and the ACLU. “On the Republican side, there are no groups,” he says.

The seeds of the left’s attempt to

“rewrite the rules of engagement,” as Mitchell puts it, were sowed in Florida, of all places, following the 2000 presidential election. Much of the left’s ire was directed at Florida’s Republican secretary of state, Katherine Harris, who liberals were convinced had “stolen” the election from Al Gore. In Ohio, another GOP secretary of state, Ken Blackwell, was accused of “delivering” the Buckeye State to George W. Bush by “purging” the voter rolls in Democratic precincts.

In response, liberal activists got together in 2006 to start the Secretary of State Project, a political action committee funded by various left-wing interests (unions, environmental groups, wealthy liberal donors) to elect Democratic secretaries of state across the country. In 2006 and 2008, the project supported successful Democratic candidates in Ohio, Minnesota, West Virginia, Montana, Missouri, and Oregon. These victories had significant consequences in subsequent elections. In Minnesota, a project beneficiary, Democratic secretary of state Mark Ritchie, ultimately signed off on the 2008 Senate election recount that put Democrat Al Franken over the top.

While the Secretary of State Project is defunct, the overall liberal project to set the rules for elections continues apace. The coordinated push against voter ID laws and proposals involves many of the same groups and donors connected with the Secretary of State Project and Fair Districts Now. Hans von Spakovsky notes that some conservative groups are fighting back on behalf of voter ID, including True the Vote, Judicial Watch, and the American Civil Rights Union, a right-wing analogue to the ACLU. But the dearth of “process issue” activism among conservatives remains a problem. It’s not enough, von Spakovsky says, to run the right candidates with the right message. Conservatives can’t cede ground on setting the “rules of engagement.”

As Cleta Mitchell puts it, “The golden rule of politics is, he who makes the rules, wins.” ♦

Rick Perry, Version 2.0

After a disastrous 2012, he's alive and kicking.

But will voters give him a second chance?

BY FRED BARNES

Google has not been kind to Rick Perry. Type in “Rick Perry gaffe” and you get 111,000 results. Google also offers “searches related to Rick Perry gaffe.” These include “Rick Perry drunk speech, Rick Perry oops, Rick Perry gaffe YouTube, Rick Perry gaffe debate . . . Rick Perry video, Rick Perry forgets department, Rick Perry debate gaffe.”

It's a neat package of stories, videos, and political humor at Perry's expense that covers everything that went wrong in his bid for the 2012 Republican presidential nomination. The campaign was so dreadful it earned Perry, 64, a reputation as poorly informed and slow-witted. He was left for dead, politically speaking.

Rick Perry is no longer dead. He is alive, well, and hyperactive as a national political figure. He's now a leading candidate to be the GOP presidential nominee in 2016, assuming he runs. He has admirers in the media. Jennifer Rubin, the hard-to-please blogger for the *Washington Post*, wrote recently: “The media and voters are seeing a Rick Perry largely absent in the 2012 race—shrewd, self-possessed, competent and calm.”

He has fostered ties to the community of conservative experts and intellectuals. For seven hours this spring, four prominent foreign policy experts met with Perry at the governor's mansion in Austin. As they walked to their hotel afterwards, one of them said, “Is that really the same guy we saw in 2012?”

Perry has changed. It's not just his new glasses or that he's given up wearing cowboy boots. He knows more about more subjects. He's more relaxed on TV. His political fights are now with leaders (Jerry Brown, Rand Paul, Andrew Cuomo), not state legislators. He's grown comfortable in the company of world leaders like former United Nations secretary general Kofi Annan. He's not uptight or cocky. When he spent a day in Iowa in May to help Governor Terry Branstad build his reelection treasury, he was content to play second fiddle to Branstad.

This isn't to say there's a new Perry. He hasn't had a complete makeover. The coolness between him and the Bushes still exists. (Barbara Bush especially is not a Perry fan.) But there is a different Perry, better at politics, better at seizing opportunities, better at taking bold steps. None of this came about by accident. Three things happened. The first was Perry's embarrassment over his performance in the 2012 race. Humbled, he came to recognize that his failure was entirely his own fault. He hadn't been prepared. He'd expected being governor of a big, tough-to-govern state like Texas was preparation enough. But it had only prepared him to continue being governor.

Second, if he were to run again for president—and redeem himself—he would need fresh help. And in early 2013, he hired Jeff Miller, a 40-year-old political consultant and lobbyist from California, as his top adviser. He and Miller put together a plan to prepare Perry to run for president in 2016.

Miller moved to Austin on Christmas Eve 2012 to open a consulting business in a state where Republicans matter. In California, they're inconsequential. He had known Perry for a decade and chaired the governor's presidential drive in California in 2012. His intention was to advise Perry but also develop other paying clients. Within weeks, however, he signed on full-time with Perry. Miller is paid by Perry's PAC, not Texas taxpayers.

And third, Perry had to decide whether to run for governor once more in 2014. In seeking a presidential nomination, sitting governors have a fundraising advantage. Several aides emphasized this. But Perry's experience in 2012 told him he couldn't run effectively for president if he were tied down in Austin.

He chose the presidential route, but kept his decision to step down after 14 years as governor a secret for months. Besides his wife Anita, only two others knew of his decision. Before his announcement a year ago, he had separate statements drafted, one saying he'd run for governor again, the other he wouldn't.

The Perry-Miller presidential strategy began with two parts. Perry would become a national presence and take the Texas tale of economic success across the country, particularly to Democratic states in fiscal trouble. He

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knew the Texas story well but had failed to get it across as a candidate in 2012. He would argue that pro-business red states with low taxes, light regulations, and less chance of being sued are more conducive to economic growth and job creation than high-tax blue states with burdensome regulations, like California, New York, and Illinois. The evidence was on his side. To drive home his point, he would seek to lure businesses unhappy in blue states to Texas. Indeed, some have moved—Toyota, for instance—and more may be on the way.

His mission to blue states attracted national attention. California governor Jerry Brown inadvertently spiked news coverage when he objected to a Perry radio ad criticizing the business climate in his state. “It’s not a serious story, boys,” he said. “It’s not a burp. It’s barely a fart.”

Perry’s visit to California in early 2013 had another purpose. It’s where he began to tap into the knowledge and advice of conservative scholars. This was part two of his plan. He met at Stanford University’s Hoover Institution with former secretary of state George Shultz and economists Ed Lazear, John B. Taylor, and John F. Cogan.

His outreach to think tanks and experts copies what George W. Bush did in the late 1990s as he prepared to seek the presidency in 2000. Perry didn’t get Shultz’s endorsement, as Bush did after his trip to Hoover. But Perry left a favorable impression and now consults Hoover fellows routinely. Before a conference with financiers on a trip to Britain last October, he talked to Taylor and economist Michael Boskin by phone. “It’s a smart idea for him to do this,” says Karl Rove, Bush’s political adviser.

But planning isn’t everything. Quick-witted politicians jump on opportunities. And President Obama gave him one. As thousands of children from Central America were crossing the border into Texas, Obama had scheduled three fundraisers in the state. Perry, as governor, would normally greet him at the airport.

But Perry jettisoned protocol and said he preferred to confer with Obama on the immigration crisis, not merely shake hands as he descended from Air Force One. Perry and his advisers feared the president might ignore the governor and join a Democratic congressman for a visit to the border, leaving Perry in the lurch. But Obama skipped the border, met with Perry, and said he agreed with much of Perry’s advice.

It wasn’t exactly a political coup, but Perry had managed to upstage the president. “Did Perry just boost his 2016 chances?” Jonathan Tobin of *Commentary* asked. “While you never get a second chance to make a first impression, the ongoing drama along the Rio Grande has afforded Perry an opportunity to recast his image.”

Perry is ubiquitous on television. He’s been on dozens of shows this year—not only on Fox News. His agenda has expanded from the Texas story and red state versus blue state to immigration, Obama, national security, the Middle East, and the foreign policy of Senator Rand Paul, the Kentucky libertarian and anti-interventionist.

When Paul likened his own views to Ronald Reagan’s in a piece in June in the *Wall Street Journal*, Perry told an aide, “That’s crazy.” In response, he published a rebuttal in the *Washington Post*, insisting Paul had “omitted Reagan’s long internationalist record of leading the world with moral and strategic clarity.” Perry said he “can understand the emotions behind isolationism,” but “unfortunately we live in a world where isolationist policies would only endanger our national security even further.”

Paul fired back, but his side’s reaction was notable for its snarky tone. “Apparently his new glasses haven’t altered his perception of the world, or allowed him to see it any more clearly,” Paul wrote in *Politico*. Doug Stafford, Paul’s chief adviser, cited “three points” about Perry. In an email, he mentioned two, then wrote, “Um, I forgot the third. Anyone remember the third one? . . . Oops.” This made fun of Perry’s slip-up in a campaign debate in 2011.

Perry’s high point on television, his aides believe, was his appearance in May on *Meet the Press*. They base this on the positive feedback Perry received for his forceful criticism of Obama. The president, Perry said, “all too often, whether it’s on health care, or whether it’s on education, or whether it’s on how states deal with the death penalty—he looks for a one-size-fits-all solution centric to Washington, D.C. That’s one of the problems we have in this country.”

But attacking Obama is risk-free for a Republican. Perry was better—more at ease, likable, and funny—when he went on *Jimmy Kimmel Live!* in March when the show aired from Austin. This was risky. The idea was for Perry



Perry addresses a Texas GOP convention, June 2014.

to appear before an unfriendly audience. Indeed, he was booed when he came on the set.

“What have you done to make these people dislike you so intensely?” Kimmel asked. Perry said three venues are unwelcoming for politicians: hockey games, rock concerts, and Kimmel’s show. When Perry cited his effort to reduce the penalty for marijuana possession, the audience began to warm toward him. “You don’t want to ruin a kid’s life for having a joint,” he said.

Kimmel asked if Perry had really shot a coyote while jogging. Yes, he had. “You jog with a gun?” Kimmel said. “I do interviews with a gun,” Perry said.

“Are you going to run for president again, obviously maybe this is not the place you want to announce it?” Kimmel asked. No, Perry said, this “is not the crowd” for that. Kimmel: “Why would you run for president? I mean it didn’t go that great last time.” Perry: “America is a great place for second chances. Let’s just leave it at that.” When Perry departed, the crowd cheered him.

Perry had a tougher time on *Fox News Sunday* last week. Brit Hume wouldn’t accept his vague notion that “a show of force” or “a visual” by the National Guard would discourage border crossings. Hume asked, on his third try, why young immigrants who’d made “harrowing journeys” would be deterred by soldiers who wouldn’t arrest or shoot them. “We’re talking about two different things here,” Perry said, adding that the National Guard would send a message and Texas Rangers would enforce the law.

At that point, Hume moved on.

Perry’s forays into the world of conservative high-brows have been largely successful. I’ve talked to a dozen of them, and their reactions range from Perry’s okay “but he’s no Jeb Bush” to he’s “impressive” to “he’d make a fine president.” There was no sharp criticism. Perry’s mandate at the moment is to erase the bad vibes and negative impressions from his 2012 campaign. That’s one reason he wants their help now. The other is he’ll need their advice all the more in an actual campaign.

Following his trip to the Hoover Institution, Perry invaded Washington. He had one-on-one sessions with Eric Edelman, who was a foreign policy adviser to Vice President Cheney, former assistant secretary of state Brian Hook, and ex-Labor secretary Elaine Chao, now at the Heritage Foundation. He had dinner at the American Enterprise Institute. In New York, he met with Avik Roy of the Manhattan Institute.

This spring, Perry brought teams of advisers to Austin. Three economists from AEI—Kevin Hassett, Michael Strain, Stan Veuger—expected to meet with Perry’s staff, then with him. Perry showed up with his staff. As they talked, Perry checked on facts and issues online. The AEI group stayed for dinner. Perry gave them a personal tour of the governor’s mansion.

The foreign policy experts—Edelman, Hook, former White House adviser Elliott Abrams, and Robert Joseph, a former undersecretary of state—got a tour and also spent most of the day and evening with Perry. His main interest was the Middle East and Iran’s nuclear program.

Perry has invited Avik Roy and Lanhee Chen to Austin in late July to discuss health care. Chen was policy director in Mitt Romney’s presidential campaign. He’s now at Hoover.

From his talks with foreign policy experts and trips to England, Switzerland, and Israel, Perry learned an unexpected lesson. It’s a simple one but hard to master. He must develop a sense of comfort in dealing with world leaders. He must learn the habits of a commander in chief and convey them in public. He must “think internationally,” as one adviser put it.

It’s this goal that sent Perry to the World Economic Forum at Davos

in January. Ministers, heads of state, central bankers, and leaders in finance congregate at Davos, Switzerland. Perry had never been to Davos. For him, it was a chancy proposition, since he’d agreed to join a panel discussion with Kofi Annan and Colombian president Juan Manuel Santos. Its pompous title was “The Drugs Dilemma: Consequences for Society, Politics and Business.” And as Perry noted at the outset, he was the only “anti-legalization” panelist.

How did Perry perform? Far better than he, his adviser Jeff Miller, or anyone who watched him during the 2012 presidential campaign could possibly have imagined. He seemed relaxed and not awed by his fellow panelists. After Annan said Texas spent more money on prisons than on education, Perry politely told him this wasn’t true. And Annan accepted the correction.

The panel lasted an hour, time enough for Perry to tout his effort to soften penalties for young people charged with marijuana possession. And he raised an important question to which the others had no answer. What if we say “it’s okay to smoke marijuana,” but in 30 years find “the medical cost to this world” is too high? That’s what happened with cigarettes, he pointed out. Smoking was fine until science proved otherwise.

Perry plans to attend his second World Economic

Perry’s will to redeem himself after the 2012 experience is strong. With adviser Jeff Miller’s help, he’s done nearly everything conceivable to overcome the stigma of 2012.

Forum in China in August. And he'll be on a panel, though he hasn't been informed of the subject.

In October, Perry is scheduled to visit England, Poland, the Baltics, Romania, and Croatia. He recently talked to Polish foreign minister Radek Sikorski about exporting liquefied natural gas from America to Europe, lessening its dependence on Russian gas. He and Sikorski are to inspect an LNG facility on the Baltic Sea.

Perry's will to redeem himself after the 2012 experience is strong. With Miller's help, he's done nearly everything conceivable to overcome the stigma of 2012, when he dropped out after finishing fifth in the Iowa caucuses and sixth in the New Hampshire primary. And that was against a weak set of Republican candidates. In 2016, the GOP field is likely to be stronger.

Perry has no room for error. He may have no room for controversy either. And he's already gotten into one flap. At an event in San Francisco in June, he was asked if homosexuality "can be cured by prayer or counseling." Perry said he didn't know.

But he didn't stop there. "People make choices in life and whether or not you feel compelled to follow a particular

lifestyle or not," he said, noting he'd written about this in his book *On My Honor*. "You have the ability to decide not to do that. And I made the point of talking about alcoholism. I may have the genetic coding that I'm inclined to be an alcoholic, but I have the desire not to do that, and I look at the homosexuality issue as the same way."

A week later at a *Christian Science Monitor* breakfast in Washington, Perry said he had made a mistake and "stepped right in it." This was his mea culpa: "I got asked about an issue, and instead of saying, 'You know what, we need to be a really respectful and tolerant country and get back to talking about, whether you're gay or straight you need to be having a job, and those are the focuses I want to be involved with.'"

That put the matter behind him. Besides, Perry has a bigger problem to deal with: the sheer difficulty of rising above a bad first impression. Vice President Dan Quayle couldn't do it. The saying that first impressions are 90 percent of politics is repeated so often because it's usually true. But Perry has a chance to defy it. He knows what he did wrong the first time and started early to correct for it. He has a plan and the necessary desire. If he succeeds, the Google results under "Rick Perry second chance" will be overflowing. ♦

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Conviction Politician

*Out of prison, with a new wife and infant son,
Edwin Edwards, 86, hits the campaign trail again*

BY MATT LABASH

Gonzales, La.

The last time I saw Edwin Edwards, he was breaking the law. It was 14 years ago, in the cafeteria of the Russell B. Long federal courthouse in Baton Rouge, where a portrait of Russell's dad Huey—the Kingfish himself—kept watch over the lobby. At the building's ribbon-cutting several years earlier, Edwards, who was then in the last of his four nonconsecutive terms as emperor/governor of Louisiana (and who is now running for Congress), had joked that the ceremony was “my first invitation to a federal courthouse not delivered by U.S. marshals.”

Like all his best lines—and Edwards always had the best lines (on his electoral chances: *The only way I can lose . . . is if I'm caught in bed with a dead girl or a live boy*; on his deliberative competitor: *Dave Treen is so slow, it takes him an hour-and-a-half to watch 60 Minutes*)—the one at his courthouse christening was dark, perfectly timed, and rooted in truth.

By early 2000, though, the joke was on Edwards. Claiming he was the victim of a political witch hunt, he had slipped the feds for decades in over a dozen grand jury probes. He'd even won two jury acquittals during the '80s for the same alleged hospital-contracts scheme. But Edwards was finally on trial with six codefendants, including his son Stephen, for improperly influencing the disbursement of state riverboat casino licenses after leaving office. He was offered a plea deal which for only a year in prison would've let Stephen walk (his son told his dad he'd blow his brains out if dad capitulated). As an ice-water craps player who earned millions at Vegas gaming tables, often raising eyebrows by hauling cases full of cash to and from the governor's mansion, Edwards rolled the dice.

Many Edwards-watchers found it peculiar that the law was finally closing in on Edwards, a populist Democrat in the Long tradition, for selling an office that he no longer owned. If you bug-zapped all the parasites who buy and sell influence in Washington, the city would fast resemble a postapocalyptic moonscape. And in graft-riddled

Louisiana, where a large swath of elected officials have historically proven amenable to under-the-table remuneration, many considered Edwards's activities to be run-of-the-mill lobbying. Besides, Republican Mike Foster had already replaced Edwards as governor. How much influence did Edwards have to peddle with a state gaming board he hadn't appointed?

The feds had surreptitiously wired Edwards's life—reportedly tapping even his bedroom, and perhaps giving them a salacious soundtrack. (The unapologetic womanizer once said the only thing he had in common with his electoral opponent David Duke, a former KKK member, was that “we are both wizards under the sheets.”) With 26,000 recorded conversations, there was no indisputable smoking gun. But the prosecution trotted out all manner of curiosities and a large cast of costars—large dollar figures scribbled on cocktail napkins, huge sums of cash stashed in ash bins or duck carcasses, heavy-breathing from codefendants wondering about people being wired—that kept everyone awake during a four-month trial. (Except the juror who was dismissed for sleeping.)

Both a fierce verbal jousting and wily former country lawyer (he was born the dirt-poor son of a sharecropper in Cajun country), Edwards never did himself many favors in the looking blameless department. In a turn that largely endeared him to the public while enraging his antagonists, Edwin habitually goosed his own outlaw image. Once, upon hearing that some jurors in his mid-'80s trial had stolen towels from the hotel where they were sequestered, he deadpanned, “I have been judged by a jury of my peers.”

This was a ploy straight out of the Longs' populist playbook. Edwards as governor was never as dictatorial or demonstrably crooked as Huey, who hired and fired LSU football coaches and insisted state employees kick 10 percent of their salaries back to his “deduct box.” Nor did he run as hot-blooded and crazy as Huey's brother, Earl, who kept his political machine chugging along from a mental hospital in Mandeville, after his own wife, Miz Blanche, had him committed, possibly out of vengeance for Earl's publicly squiring a stripper. But Edwards absorbed the lessons of their appeal: Stand up for the little guy, and don't be afraid to kick the big guy in the shorts. (Numerically, there

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are a lot more little guys than big guys who vote.) Tap the oil and gas companies in the carotid artery, and keep the revenue stream flowing. Keep the people swimming in gravy, from roads and bridges to hot school lunches to patronage jobs, patronage being right up there with shrimping and oil refining as one of the state's leading industries.

Above all, keep the masses entertained. Do that, and they'll forgive many of your shortcomings, even if they occasionally switch you out for a goody-two-shoes reformer, an infatuation that never lasts long. As Uncle Earl once prophesied: "Someday, Louisiana is gonna get good government, and they ain't gonna like it." With a recent Justice Department study reporting Louisiana is still top-of-the-pile in corruption convictions over the last decade, it doesn't look like that day's dawning is an imminent threat.

But aside from being a savvy knife-fighter, compromise-forger, and able administrator who accomplished much, particularly in his first two terms in the '70s before the state's finances became tougher sledding (balancing budgets, streamlining bureaucracy, rewriting the state's convoluted constitution), Edwards had a visceral appeal that seemed to spring from letting the electorate in on the joke. If many of us have lost faith in public servants, thinking of them as self-dealing grifters, Edwards's black-humored one-liners (*If we don't get Dave Treen out of office, there won't be anything left to steal*) pulled back the curtain on the kabuki theater. As his bitter rival Duke once said, "He was devoid of principle, but at least he was honest about it."

Which brings us back to the courthouse cafeteria in Baton Rouge, where I watched Edwards break the law, and served as an accomplice. Just weeks before the verdict came down, Judge Frank Polozola had taken away one of Edwards's greatest weapons—his gift of gab. The judge was nicknamed The Ayatollah for his autocratic manner, yelling at reporters for tromping through courthouse flower beds, and screaming at defense lawyers that if they kept snickering they'd "be taken out of here in handcuffs. I don't care if you hate my guts, you're stuck with me!" The Ayatollah placed Edwards under a gag order, effectively barring him from doing interviews.

Ever willing to help someone shed the yoke of judicial tyranny, I'd convinced Edwards to allow me to shadow him, so long as I embargoed the piece until after the verdict.

After all, what could The Ayatollah do then? Send him to jail? He was likely headed there anyway.

In the cafeteria, Edwards sat at a table, forking his eggs and grits, attempting to chat while prosecutors circled like sharks. As I was busily taking notes, he said, "I can't be seen talking to you while you're writing." I folded my notebook, thinking that was the end of that session. But Edwards instead instructed me, "Drop it in your lap," and we commenced.

Finally thinking that too dangerous—The Ayatollah's walls had eyes—Edwards commanded, "Let's go to the car." We adjourned to the Durango of one of his adult daughters, the two of them sitting in the backseat, until one of them, Victoria, a former actress and showgirl, said, "Daddy, why don't we take a ride?" As we tooled around Baton Rouge,

Edwards chatting away in merry contempt of the gag order, we drove past the great big governor's mansion. "That's where I used to live," Victoria chirped.

A few weeks later, after The Ayatollah had dismissed another juror during deliberations under mysterious circumstances (one who'd thought the government hadn't made its case and who would've hung the jury had he been allowed to stay), 11 jurors came back with a guilty verdict, dinging Edwards on 17 counts of money-laundering, racketeering, conspiracy, and extortion.

Facing a 10-year sentence, Edwards would spend the better part of the next decade living in a big house of another sort.

I head down I-10 to Gonzales, about 25 miles south of Baton Rouge, where Edwards now lives in a golf course community with his third wife, Trina, whom he met when she started writing him in prison. In March, Edwards announced to the surprise of many that he was running for Congress in Louisiana's 6th District, a seat being vacated by Republican Bill Cassidy, who is running for the Senate against Mary Landrieu. I am due to meet Edwin at his house, so we can head to a campaign fundraiser in Morgan City on the Cajun Coast.

But that's a bit of a trick. Louisiana's been pounded with rain for the last 12 hours, taking on more water than it did during Katrina. Cow pastures now are duck ponds. The Do Right Full Gospel Church looks more like Noah's Ark, its parking lot having turned into a swamp. I get within a few blocks of the house, but half his neighborhood is a



Edwin Edwards with wife Trina and Baby Eli

water hazard. When the water smacks up to the door of my sad, rented Chevy Cruze, which is pushing its wake into low-lying neighbors' living rooms, I give up the fight, call Edwards, and tell him the car's not going to make it. He instructs me to head to a nearby grocery store, where he'll pick me up in a higher-sitting truck.

Forty minutes later, Edwin rolls up in a Silverado, his friend Darren, a chemical salesman, serving as driver. (Edwards's campaign is lean and mean—at the time of my visit, he has no campaign manager, no press secretary, he runs his own schedule out of a notebook and has only two staffers, one of them his wife, who is assistant treasurer.) Before I can say hello, the 86-year-old has dashed off into the grocery store to pick up prescriptions like a dutiful senior citizen.

I am glad to see Edwards again, and not just because he has four-wheel drive. I'd figured the last time I saw him would be the last time I saw him. Before going to prison, feeling uncharacteristically morose, Edwin told me he figured he had 6 to 10 years left of "biblically allotted time." But here we are a decade and a half later.

Having neither shanked anyone in the prison shower, nor forced fellow inmates to buy a riverboat casino license, Edwards earned an early release in 2011, after serving eight years. The Silver Fox is whiter on top these days, sports hearing aids and is nearly deaf without them, and his satiny Cajun lilt sounds wispier. Other than that, he's in fine fettle, and still quick as a jackrabbit mentally.

The last time I saw him, the man who used to cruise LSU's sorority row in the gubernatorial limo was married to Candy, a comely blonde then 35 years old. They divorced while he was in prison. Now, he's married to Trina, a comely blonde who is 35 years old. Edwards puts me in mind of Matthew McConaughey's character Wooderson in *Dazed and Confused*, the graduate who kept returning, saying that's what he loved about high-school girls: "I keep getting older, they stay the same age."

He isn't likely to trade Trina in for a new 35-year-old anytime soon, however. They have a bond, besides the very short-lived A&E reality show they starred in, *The Governor's Wife*. After remembering that Edwin had some sperm frozen when trying to get a vasectomy reversed in the '90s, they discovered his deposit still got the job done. Trina underwent in vitro, and, *voilà*—they now have 10-month-old baby Eli.

Edwards admits he was off on his actuarial projections, though he's unrepentant for not yet being dead. Once in prison, he doggedly decided he was going to come out

whole. Upon his conviction, he'd said, "The Chinese have a saying that if you sit by the river long enough, the dead body of your enemy will come floating down the river." He was talking about his own body, washing right into the feds' gill-net.

But lately, he's been the one sitting by the river, having outlasted most of his antagonists. The U.S. attorney who spearheaded Edwards's takedown, Eddie Jordan, resigned when pressure built for, among other sins, being found liable by a federal jury for firing 42 white employees and replacing them with his fellow African Americans after he'd become district attorney of Orleans Parish. The Aya-tollah passed last year at 71. "The judge is looking up at us from where he is, now," Edwards deadpans.

Then there was John Maginnis, the gimlet-eyed dean of the Louisiana press corps, who, while amused by Edwards,

reliably strafed him. I tell Edwards I'd planned on inviting Maginnis out for drinks while visiting. "I don't think you'll reach him," Edwards cracks. "I know," I say, having discovered that Maginnis died at the age of 66 on the very morning I tried to Google his contact info.

"Do me a favor," Edwards says dryly, "don't Google me."

But neither does Edwards think himself invincible. He knows what's coming. Looking

out across the gray marshlands as rain pounds the truck windshield, Edwards says, "I'm too far from the womb and too close to the tomb not to realize that death sits on my shoulder. Every time I look at [Trina and Baby Eli], I just wish I could look forward to seeing him graduate from school. I realize that's unrealistic. But I'm going to tell you this: In the short time I'm going to be with them, I'm going to give them more attention and love than a lot of children get from lifelong parents."

Always a hard-charger, Edwin doesn't spend much time brooding about loss. He'd never want to go back, but prison wasn't so bad, he says. He'd resided in two facilities, first in Fort Worth, then in Oakdale, Louisiana. Things got considerably better when he moved closer to home. "They understand Cajun cooking—the food was much better than in Fort Worth." He was prison librarian and de facto jailhouse lawyer, helping other prisoners deal with power-of-attorney issues and other tangles. "I tried to do what I could to make life a little better for them, because in doing that, it made me feel like I still had a purpose in there."

But like any good gambler who comes up short, he also keeps track of what's gone. People who accuse his new wife

'Now yes, I'm running on family values. But you know what family values is? It's an 86-year-old man getting up at five in the morning to change the diaper of his 10-month-old child. That's family values.'

of being a gold-digger are barking up the wrong tree. “She may be a gold-digger, but all she got was the shaft,” Edwin says, seeing as how there’s not much gold left to dig.

He gets by just fine. He made some smart real-estate decisions and gives paid speeches now, all over Louisiana. His 611-page authorized biography, written and exhaustively researched by Leo Honeycutt, a former Baton Rouge television anchor who used to cover Edwards, often adversarially, has been a local bestseller for a half-decade. (To both Edwards’s and Honeycutt’s credit, the book is no whitewash, containing the good, the bad, and the ugly, right down to the worst of the wiretap transcripts and Edwards’s unfaithfulness to his first wife, Elaine.) But neither of those, nor the reality show, had much reach beyond state borders. As A.J. Liebling once wrote of the Longs, “Southern political personalities, like sweet corn, travel badly. They lose flavor with every hundred yards away from the patch.”

So the losses have mounted, too. “The trial cost me \$1.8 million in forfeiture, then the \$250,000 fine,” Edwards says. “I had to pay taxes on about \$300,000 of money I never got.”

“You had to pay taxes on money you say you never extorted? That’s gotta hurt,” I say.

“Well, yeah, it hurts,” winces Edwards. Though we can laugh about it, now. At least I can.

He adds that he had a roughly \$2 million legal tab between him and his son—“I paid everything.” The least he could do, since he figured his son wouldn’t have gone to jail if he hadn’t been related to the U.S. attorney’s favorite target. And then of course, there were the friends who died while he was in prison. “Thirty-four,” he says without missing a beat, but who’s counting? His sister and oldest brother died while he was in the joint. He made one of the funerals, the other was too hard to arrange with the authorities. When Harry “Chinese Cowboy” Lee, the legendary Jefferson Parish sheriff, kicked, Edwards recorded a eulogy from prison, having promised he’d give one.

He used to love to hunt, especially elk by horseback in the mountains. “But convicted felons cannot possess and use firearms,” he says. So he donated his 260 guns to Ducks Unlimited, which they auctioned off for a quarter of a million dollars to build more duck habitat. Neither does he gamble anymore. Not because the law forbids it, but because “I don’t have any money that I can afford to lose. I don’t gamble for fun, I gamble to earn.” And he was a serious earner at the craps table, he lets me know.

Besides being a child of the Depression, whose father didn’t trust banks, it’s why Edwards constantly dealt in large sums of cash, he claims. “They paid me in cash when I won, and I paid them in cash when I lost.” But he won more than he lost. To prove he’s not bluffing, he says, “My income tax records [during the nine years he produced for the trial]

show that I reported and paid taxes on \$1,900,000 in gambling winnings. Now you’re lookin’ at a fella that ain’t gonna pay no taxes on gambling winnings that I didn’t win.”

We spend some time relitigating the fine points of the trial, which I won’t replicate here. Edwards, ever the skillful lawyer, has mastered the arcana, but it’s too detailed and tortuous to explain. Besides, I figure Edwards, guilty or innocent, paid his debt with interest. Even John Maginnis wrote, years before Edwards was released, that “six years in the pen is ample punishment for the Justice Department’s tortured theory of his crime.” Not to mention, Maginnis added, that the judge “piled on by giving Edwards more time than the sentencing guidelines called for.”

But generally speaking, I’m still curious. Does Edwards, who benefited from a civic-minded bumper sticker when running against the racist Duke that said, “Vote for the Crook, It’s Important,” consider himself an honest man? “Absolutely,” he says, without hesitation. In fact, he says, “I don’t go around telling people I’m innocent. But I will tell you I’m not guilty of what the trial was about. The record’s there for anybody to see. And contrary to the opinion of some, it had nothing to do with my role as governor. It had nothing to do with being bribed or using improper influence in my office or selling riverboat licenses. Nothing. Nothing. Nothing. I repeat ad nauseam, it had nothing to do with what I did or didn’t do as governor.”

Okay, fine, I say, seizing on the first part of his answer. “So what aren’t you innocent of?” Edwards laughs. “I’m not prepared to tell anybody that I’m innocent of everything, but I’m not going to tell you what I think I’m not innocent of because I don’t have that feeling about myself. I’m not one of those people who go around telling others how wonderful and honest I am. I am what I am. And everybody should judge me based upon his or her dealings with me. Not based on what some reporter from New York wrote about me.”

An interesting answer. In some ways, it’s a brilliant one, managing to be honest and slippery. It recalls something Edwards said on the stand during his trial, which might’ve even made The Ayatollah laugh. When asked if he was lying, he said, “No. And if I were, you’ve got to assume that I wouldn’t be telling you.”

While Edwards’s last campaign was two decades ago, he doesn’t appear to be suffering ring-rust at his fundraiser. Watching him work a catering hall in Morgan City is kind of like watching Elvis return to Graceland. He innocently flirts with older women in French, and younger women in English. He remembers who smokes and whose daddy worked where and minute details he should have forgotten years ago. Like supporters during his four terms, the crowd here is a total grab-bag:

black and white, fisherman and oil worker and realtor and Chamber of Commerce burgher, and even an Elvis impersonator from Elvis's fat-ass, late-Vegas stage, with whom I put away a plate or three of spicy Natchitoches meat pies.

A former state representative who lost her election due to scandal like a good native tells me how the legislature has gone to seed since Edwin left the big chair—hyperpartisan, dog-eat-dog, and every man a king in the worst possible way. Back in Edwards's day, as everyone from hard-bitten journalists to pols on both sides to constituents will tell you, the governor's mansion didn't even have a fence. (Unlike now, with Bobby Jindal, who doesn't need one since he's always off seeding his future presidential run.) All of the above were frequently invited in to sit at Edwin's table, where you might watch him eat a whole sweet potato with his hands, while he listened to your complaint. Not for nothing did Edwards regularly land at or near the top of favorite Louisiana governor polls even while he was in prison. (Jindal's last year of disapproval ratings rank slightly above al Qaeda's.) A guy running for district judge tells me, "The only thing the governor [Edwards, not Jindal] is carrying is his baggage, you know? Were it not for that, I wouldn't even see a race, to tell you the truth."

A middle-aged marine-welding-company manager with a thick Cajun accent, nicknamed "Noonie," tells me about hanging signs for Edwards when he was kid in an early campaign until 5 o'clock in the morning, so that when "people woke up, it looked like Edwards had diarrhea all over Morgan City." Noonie once saw Edwards during a parade—maybe the Shrimp and Petroleum Festival. This was during a time when race relations could still get a little testy in Louisiana, which never bothered Edwin, who'd gone to the mattresses for blacks since his earliest days. But when Edwards's car arrived in front of a corner liquor store where 200 or so blacks were assembled, Noonie says, "Some girl is yellin', 'Edwin! Edwin!' He jumped out of the convertible, kiss that girl on the lips, and took a big ol' swig of her bottle of liquor. Give it back to her, and got in the car. A black girl! In front of all those people!"

I point out that Edwin is a teetotaler—alcohol being the one vice that never turned his head. But Noonie shrugs: "Pull the lever, baby! He do what he had to do to win."

Noonie is on a roll, and I'm afraid to stop him. Regarding Edwin's troubles, Noonie gives his considered legal opinion, though I should stress he is not an attorney: "He told them to f— themselves! It's called BIG BALLS! That's what it's about. Where's your pride at, as a man? You know?"

He stood up for my grandparents that didn't have nothin'—fishermen who didn't have s—. Him right there."

I even hear Edwards's hosannas sung by a Republican who has slipped in under the radar and has a blank check in his backpocket. He intends to sign it in his wife's name so his Republican family doesn't find out. I ask him what the appeal is, since he admits he never votes for Democrats, and can't, even now, since he doesn't live in Edwin's district. "I'm here to see the man, that's it," says the Republican. "To see him is like seeing Elvis. You may not like Elvis's music, but you're gonna see him, because he's Elvis."

I call Elvis over (Edwin, that is, not the impersonator guarding my meat pies) to give the man a thrill. I explain his situation to Edwards, trusting he'll be touched. Instead, Edwards looks possum-eyed at the Republican, then at me, and says, "Shut up and get the check!"

As the audiologist peered into his ears, she informed him that he had a perforated ear drum. Rather than being alarmed, Edwards cracked, 'If you see light from the other side, don't tell the reporter.'

Unlike the Longs, Edwards doesn't approach the mike as though it's on fire and he's trying to blow it out. But he does have their seat-of-the-pants spontaneity. He never prepares speeches, and often doesn't know if he's speaking at all. But he can speak fluently for hours on just about any topic, never looking at a note. And as an old populist pro, he knows how to ring the dinner bell.

He admits to the crowd straightaway that Morgan City is not in his district, but that shouldn't matter,

since "money don't know where it came from . . . and I'll spend it in the 6th District for your benefit." He sings hyperlocal songs, such as the need to keep the Mississippi River dredged to accommodate oceangoing vessels. And for a homer crowd, he goes unpredictably omni-partisan. Like any self-respecting Democrat, he knocks the Tea Party for extremism but confesses his new wife is a Republican. "After 86 years of being a Democrat, I found something good to do with Republicans—sleep with them!" he says to wild applause.

He adds that he'd have voted for Obama in 2008 but didn't, "because where I was at the time, there were no voting machines." He then proceeds to flay Obama for everything from keeping troops in Afghanistan to bungling up the Keystone pipeline, which Louisiana could benefit from. If we don't run the oil down here, he asserts, the Canadians will just sell it to the Chinese, who'll use it to make cheap oil-based goods like Mardi Gras beads, selling it right back to Louisianans at marked-up prices. Edwards is for covering the poor. But while upbraiding Republicans for trying to sink Obamacare, which is the law of the land and has many fine points like coverage for preexisting conditions, he then

proceeds to bash the hell out of it, asserting how necessary it is to gut its worst features, from restricted doctor-choice to crippling small business with its requirements.

These are all good practice-cuts to take, since Edwards is running in a solidly Republican district. Earlier in the evening, he held forth to me in front of several people on how while he believes, as a child of the Depression, that government should help those who can't help themselves, the whole South has become Republican because Nancy Pelosi and many national Democrats "want government to be the answer for everything, and it can't be. . . . People need self-pride . . . government should be a helping hand, not a handout." For a second, I think I hear the Kingfish rolling over in his grave. But Edwards's Democratic audience is eating it up, too. For a flaming yellow-dog populist, he appears to be what these days has become a filthy word—a moderate. A man you can do business with, and not just if you need a riverboat casino license.

Warming to the mike, Edwards gets even more expansive, sweeping in libertarians and family-values types in one fell swoop. "I'm running on family values," Edwards says. "But I'm telling you right now, I'm not one of those people who wants to tell you what to do. What church to go to . . . what happens in your bedroom. I'm not interested in that, and it's not my job. I'm not running to be a preacher or a priest. I'm running to be a congressman. Now yes, I'm running on family values. But you know what family values is? It's an 86-year-old man getting up at five in the morning to change the diaper of his 10-month-old child. That's family values."

Screw Congress—the crowd is ready to reelect him Emperor of Louisiana.

Back in the truck on the way to Gonzales, Edwards rides shotgun holding a banker's envelope with a fat stack of checks. It feels kind of like old times, or would, if the FEC let him take it in cash. Edwards can no longer hunt and gamble, and though he lives in a golf-course community, he's played only once in three years. He mainly just rides Eli around in a golf cart, which the youngster loves to do all day. He's even too old and too happy with his new wife to womanize. Politics is his one remaining vice.

So as the rain assaults us, we drill down on his campaign. During the LBJ and Nixon eras, Edwards was a three-term congressman, starting out strong, but racking up a pretty decent absentee record on votes while he was training his sights on running for governor. He still wouldn't mind doing the latter if the law didn't prevent felons from running for statewide office until 15 years after their release, making him ineligible until he's 99. But Edwards sloughs off his old congressional voting absenteeism, saying most of the votes were inconsequential. He was there when it

counted (such as extending the Voting Rights Act—one of three congressmen from the South to do so).

Despite a brief flirtation with being Ted Kennedy's potential running mate when he challenged Carter in 1980, Edwards never had much ambition to go national, figuring he had too much baggage for the rest of the country. "Huey and Hitler and a lot of other politicians wanted to rule the world," says Edwards. "But no single individual is going to rule the world. It's too diverse, and too big. I wanted to rule Louisiana, and I got my way." As for running for Congress now, he confesses he likes the action. "Gives me meaning and purpose." Besides, as he likes to say on the stump, "I can't make it any worse."

His biographer, Leo Honeycutt, puts it a bit earthier. When rumors circulated that Edwin was jumping in, Honeycutt asked him, "'What the f— are you doing? You'll be 3 years away from 90.' He said, 'Well, what else have I got to do?' I said, 'You've got a 1-year-old, and a 35-year-old wife. I can think of a number of things.' He said, 'This is what I'm about, it's what I've always been about, and it's what I'm always going to be about.'"

Louisiana has gone seriously red since Edwards's gubernatorial heyday. Five of its six congressmen are now Republicans, and while Democrats had a century-long lock on the governor's chair up until the end of Edwards's second term in 1980, only two have won since, besides him—one-and-a-half if you count Buddy Roemer, who party-switched near the end of his term. Many handicappers say there's no chance Edwards will win in the 6th, especially since it was redistricted by Republicans in 2011, shuttling off many blacks (a staple Edwards voting bloc) to the solidly Democratic 2nd.

But as with most things in Louisiana, there are undercurrents. The district, which sits astride the Mississippi and encompasses all of conservative Baton Rouge, along with several central and southern parishes, is still fairly black (roughly one out of four voters). Additionally, the new lines now pick up portions of heavily Cajun parishes like Terrebonne and LaFourche, which Edwards considers a fair trade. (Those are literally his people.)

More important is the state's jungle primary system, which Edwards introduced as governor back in the '70s, in which all parties run together, then the top two finishers go head-to-head in a runoff. Originally intended to help Democrats who had to claw each other's eyes out in contentious primaries while Republicans sat idle, resting up for the general in a then-heavily Democratic state, the jungle primary had the unintended effect of letting Democrats cross the aisle to vote for Republicans, which they did as the national party grew more liberal. For this, Edwards has facetiously been called "the father of Louisiana's Republican party."

He's running against nine Republicans—though there's so many, he may have lost count. And while the race is still sleepy, it looks as though they're already cannibalizing each other's support. Edwards is way ahead in the few polls taken thus far—around the 40s. Sniffy pundits say he'll likely get smoked in the runoff, when Republican support consolidates (polls do show Edwards lags in one-on-one matchups).

Maybe. But the craps player is clocking his odds. He's only lost 1 out of 12 career races. He considers himself "pretty much a lock" for the runoff. Not making that would likely involve a dead girl/live boy scenario. So he likes his chances: "I never started an election in my life where I have 40 percent going in."

Even if he's pushing 90, none of the competition is exactly putting the fear of Jesus in Edwin. Who's he supposed to be afraid of? State representative Lenar Whitney, who technically lives outside the district? ("I'm dropping out now," Edwin jokes, when finding out she's running.) There's baby-faced software developer Paul Dietzel, whose selling point seems to be that he's the grandson of LSU football coaching legend Paul Dietzel, a biographical entry he's so at pains to highlight that he had his first name legally changed.

Unlike the rest of the field, Edwards has close to 100 percent name recognition, albeit not always for the right reasons. One Republican frontrunner, state senator Dan Claitor, even tweeted, "Unlike last time, don't vote for the crook, it's important." But Edwards recently joined Twitter, and woe to those who try to match one-liners with him: "If you don't have anything nice to say . . . go ahead and talk about David Vitter."

Edwards calls the current senator (now running for Louisiana governor) "an unfortunate man." He thinks of Vitter, who used to bring ethics charges against Edwards when he was a state representative, as a typical Louisiana "reformer"—only in this state could Vitter be considered one while having two hooker scandals in his jacket. "He lives in fantasy world. He thinks he knows all the rules and regulations and how the rest of us should live while having a secret double life of his own," says Edwards. "It's like *The Secret Life of Walter Mitty*—except a lot less clean. Hell's hottest fires are burning for hypocrites."

All of this is fascinating enough. But I have an unrelated unanswered question. Whatever happened to Candy, the wife he divorced while in jail? When I was here in 2000, Candy and I had gone together—while Edwin was getting a prostate exam—to pick up their yellow lab Caesar from the vet after he'd been hit by a car. Since then, it sounds like she's had a rough go—a domestic abuse incident here, a traffic altercation there. What gives?

Edwin's face grows tight. It's the only time I see his gears seize up. While Trina gets along just fine with

his first wife, Elaine, Candy is not her favorite subject. "Let me just say to you," Edwards warns, "Trina doesn't want me to talk about Candy, and I don't want to talk about Candy." For a second, I'm worried that the man they used to call the Cajun Prince has been henpecked beyond recognition. I tell him I only brought it up with him, alone, in case it was a sore spot with Trina. "I'm glad you did," he says. "It would have been better if you'd asked in her presence, because I'd like her to hear me say I don't want to discuss it."

Always willing to help someone score points with the little missus, I gamely suggest I bring Candy up in front of Trina the next day. "Do that!" Edwards says enthusiastically. Professional wrestlers have a word for this—kayfabe—portraying staged events as being real. "I'm going to have to give you a rather sharp answer," he warns, always the gentleman, "because that's what makes her happy."

"Do what you have to do," I tell him.

I've not checked the Poynter Institute handbook, but I'm pretty sure our prearrangement runs against good journalism ethics. Maybe Edwards's looseness is rubbing off on me. One night, his biographer Honeycutt and I meet for drinks at the Kingfish Lounge at the Capitol Hilton, which used to be the old Heidelberg, where Huey liked to hole up, and where a secret tunnel (which still exists) ran under Lafayette Street, to another hotel, so clandestine visitors of the governor could escape notice.

When Honeycutt was first told by intimates that he was on Edwards's short list to be his biographer, he told them he didn't give a toss if he were on the list at all. Having covered Edwards for years, he was amused by him but didn't particularly like him, thinking him arrogant and possibly crooked. The deeper he got into the research however—and he spent years poring over microfilm in the basement of LSU's Middleton Library—the more he found himself getting turned around. Not by Edwards's charm, but by what he did for the state. And because often—much more often than he gets credit for with the outlaw image he's largely cultivated—he lands in the vicinity of telling the truth.

Even in the case that sent Edwards away, Honeycutt became convinced that Edwards may have let people believe things about his power that he thought would benefit him—power he no longer had. But extortion? Threatening to sink potential casino licensees' chances if they didn't pay him? Not his style. "Look," says Honeycutt. "Edwards is extremely smart. He knows exactly where the line is, and doesn't cross it." Not for nothing did it take the feds three decades to get him.

And even here, with the Candy kayfabe—which, technically speaking, was my idea—look at how Edwards observes the spirit of Trina's law, if not the letter. He doesn't spill to

some reporter about Candy, as directed. So what's the harm in demonstrating that truth with a little white lie?

The next day, I am sitting in Edwards's study in his well-appointed French Country home. On one wall hangs his gubernatorial oil portrait. On his desk is a plaque that reads *Illegitimi non carborundum*—mock Latin for “Don't let the bastards grind you down.” On the far wall hang three George Rodrigue portraits of the Father, Son, and Holy Ghost of Louisiana politics. There's Huey, in a double-breasted white suit, holding his hat under an umbrella oak. There's Uncle Earl, posting up at an old-timey microphone in rolled shirtsleeves, about to spit hellfire. And on the far right is Edwin Washington Edwards, standing serenely in a white suit at a lectern, looking at you through dead, five-card-stud eyes.

Joining us is Trina—tall and blonde, all sass and fizz and Dixie sunshine—and Baby Eli, who she holds on her lap as Edwin runs in and out to wash off the teething ring which keeps dropping to the floor, causing Eli to chew Trina's arm.

I ask Edwin what everyone wants to know but is afraid to ask—what about prison sex? Did he turn to other inmates in the sprawling loneliness of that lost decade? No, he's proud to inform me. Though there was “some young fella that kind of took a liking to me, for want of a better expression—think he had an uncle in politics in Texas. I'd be eating with my friends, and he'd bring me an extra orange, or if we had hot dogs, he'd bring me one of his weenies.”

“He wanted to give you his weenie?” Trina giggles.

“Yeah,” Edwards says, “but it wasn't my size.”

Late one night, the young man tried to come see Edwards in his room at their low-security prison. “I'm very reluctant to hurt people's feelings . . . but I said, ‘What the hell are you doin' here, man? Get your butt home and get out of here.’” Before the torch-carrier could depart, a guard came, and the man dove behind Edwin's locker. Not wishing for either of them to get thrown into solitary, Edwards chatted for several minutes with the guard until he left. He then told the kid to get out and never come back. But Edwards never rattled, he says proudly.

We talk quite a bit about their short-lived reality show. They both seemed to have hated it worse than the critics, who hated it pretty badly. (“Creepy on almost every level,” said *Variety*.) “There's nothing real about a reality show,” says Edwards. One of the contrived scenes which producers set in motion involved Edwin shopping for a cemetery plot and a funeral suit, as Trina might be burying him at any moment.

Which Edwards now calls “stupid.” Something he'd never do in real life. “I have no idea what I'm going to wear when I die. I told Trina, ‘Just make sure I have on shoes, in case I get cold feet.’ She said, ‘Where you're goin', you won't have cold feet.’”

Edwards never shies away from the age question. In fact, he even allowed me to accompany him, with Trina and Eli, to his ear doctor, to get fitted for a new inner canal hearing aid since he can't stand wearing the current ones. As the audiologist peered into his ears, she informed him that he had a perforated ear drum. Rather than being alarmed, Edwards cracked, “If you see light from the other side, don't tell the reporter.” Considering his age will almost certainly be made an issue in this campaign, I asked him why he'd

take the chance of allowing me to rub his nose in it. “I'd rather look deaf than stupid,” he reasoned.

Trina says that despite the papers wanting to imply she's a “gold-digger and a whore,” she legitimately fell in love with Edwards after first writing him in prison upon reading his biography (she was in high school during his last term). Then she visited him and found him cutting up with guards,

exhibiting his Cajun joie de vivre, and generally looking like he was having a better time than she was. “Hey, how do I get in there?” she wondered.

As for their age difference? “Never even thought about it. I still don't,” she says. “Sometimes when people say he's 86, I think, oh gawwwd, that's old! But just standing here, it doesn't cross my mind. Besides, most people don't stay married for 10 years. In 10 years, I'll probably be glad he's gone.”

“I hope she waits that long,” Edwin says, playing the sitcom husband.

I'm enjoying the fun and games, but in talking about staged reality, I have some kayfabe of my own to conduct. Say, I ask the happy couple, are you guys still cordial with Candy?

Picking up my cue, Edwin jumps on me like a human trampoline: “I told you yesterday, none of that! We don't talk about Candy! Maybe you didn't hear me . . .”

Trina looks pleased.

Later that afternoon, I am interviewing Edwards in his nearly empty campaign office. The talk turns once again to guilt and innocence, a recurring theme. When he was young, before he got established as a lawyer in Crowley, he became devoutly religious, and did a hitch as a youth minister in the Nazarene church. For a while, he thought ministry might be his path.

But when he drew closer to the people in his church,



Edwards announces his bid for Congress.

“they all had feet of clay,” he says. “It was my fault. The theory is, if you keep your eye on Jesus and on the cross, and not on people, you won’t be disappointed. But I was disillusioned because of what I learned about those who professed to be something else at church.”

He left the Nazarenes, resuming his birthright as a lukewarm Catholic. But he resolved to not be one of those hypocrites, looking moralistic, just for show. I ask him if, when this life is over, he thinks he’s heaven-bound. “Well,” he pauses, thoughtfully, “I’m positive I don’t know any reason why I wouldn’t be. But I’m not in a position to decide that. Someone much greater than I will make that decision. But unlike [with] The Ayatollah, I’ll be happy, because I’ll get a fair trial.”

Throughout our interview, his phone goes off like an alien aircraft having engine problems—a ringtone Trina says is called “the only one he can hear.” Or else Trina steadily interrupts with various favors that need doing for people, herself included. Her cousin, it turns out, was just pulled over in another parish when her car was swerving, and they got her for “trying to evade the police or something.” I ask Trina if her cousin was drinking. “I think she was . . .” and here, she makes a snorting motion. (Trina is as candid as her husband.)

Anyway, she was wondering if Edwin could call the judge, not for a favor, just to set bond. The judge happens to be Trina’s ex-boyfriend, Billy, and she doesn’t want to call, since his wife likely wouldn’t appreciate it. Edwin rolls his eyes, but gets on the horn, and leaves a message: “Billy, Edwin Edwards. Sorry to bother you, but at your convenience, give me a call. No, I don’t want to send [Trina] back, just give me a call, please.”

He hangs up, asking his wife, “Do you have any other family members [in trouble]?”

Trina sees me scribbling during this unfolding saga, and says, “Oh God, you’re gonna write that?” Of course I am, I tell her. My bouts of kayfabe aside, I am a professional journalist. Edwards doesn’t bat an eye, and assures her it’ll be fine. As Honeycutt tells me, Edwards has gone “from the bucket list, to the f— it list.”

But Edwards does remember another call that needs to be made. We’re supposed to have lunch tomorrow with his daughters at Ruth’s Chris Steakhouse. He’d make the reservation, he says, but they bring the tab to whoever calls. I tell him I’ll pay, but he should call—we’ll get a better table. He gets on the phone, and the hostess asks if the governor will be celebrating anything.

“I am celebrating,” he says, “but only because I’m with someone who’s going to take the check.”

The following day at Ruth’s Chris, Edwin, Trina, Baby Eli, and I meet up with Edwin’s daughters, Victoria and Anna. It’s a reunion of sorts. I haven’t seen the girls since

that afternoon 14 years ago when we all drove around Baton Rouge together, flipping the bird at The Ayatollah’s gag order. They’re in their sixties now, but Trina enjoys calling them “my stepdaughters.”

Nobody is drinking besides the reporter, but that doesn’t put a damper on anyone’s high spirits. Victoria, who has streaked black-and-blue hair and likes to smoke e-cigarettes, blasting the vapor out of both nostrils like a dragon, peels her skirt partway down and shows me the tattoo of her cat, Peanut, on her hip. She writes her number on my notepad, and jokes that if I want to see her fleur-de-lis, inked in a more discreet location, to give her a call.

We talk about the girls’ multiple marriages—they count them off—four for one, five for the other. “They ran out of fingers,” cracks Edwin. I ask them why they keep throwing men on the discard pile. “Because we can’t find anyone like daddy,” Victoria says. “Nobody measures up,” amens Anna.

They reject any possibility that their father could be guilty of the crimes he was accused of, but I ask the girls if they think their father made any mistakes during the trial. “He should’ve been less arrogant,” Anna says. “You can’t be less of something that you’re not,” chimes in Edwin. “That explains it,” adds Victoria, seconding her sister.

Anna says she’s not crazy about her father running for Congress at his age. “But he will wear you out. He blows and goes from the minute he opens his eyes.” I ask what his energy secret is. “I’m trying to get away from them,” says Edwin.

Steering the conversation to more dangerous territory, I mention their father’s womanizing reputation, one he’s never particularly denied and even fed. Once, when he took several plane loads of contributors on a trip to Paris, charging them \$10,000 apiece to retire a campaign debt, a nun at Notre Dame cathedral told him she was going to French-kiss him. To which he answered, “Sister, just don’t let me get into the habit.”

Surely, I suggest to the girls, much of it happened on their mom’s timecard. How does that make them feel? Victoria goes on a tear, defending her father and giving me a list of reasons her mother had it coming, reasons I won’t repeat here. Edwin winces, and calls time-out, making her stop. It’s the only time I see him visibly angry besides our Candy session, when he was faking it.

Keep in mind, I’ve never heard a defense of Edwards on that front, which Victoria was attempting to offer. But the next night, when I arrive at a local political dinner, Edwin and Trina make a beeline for me. “While I have regard for our relationship,” Edwin says, “I’m going to ask you to do something you won’t want me to ask. We are both very unhappy about Victoria’s comments about her mother.” I tell Edwin not to worry. It didn’t sound fair to me, so I wouldn’t have used the comments even if he hadn’t asked.

He looks relieved. Then he says, “When Victoria got done with all that bulls—t, I’m just glad you didn’t ask her what she thinks of me.”

The dinner we are attending, and which Edwards is keynoting, is thrown by the East Baton Rouge Democratic executive committee, and is entitled “Remembering Our Roots: Every Man a King.” It’s intended to recall the glory days of Huey P. Long. Considering the red tide that has rolled over Democrats in Louisiana for the last several decades, I can’t say I blame them for growing nostalgic.

Without belaboring the details, the dinner and its speakers and award-winners are mostly a snore. One local functionary after another gets up and bashes all the usual suspects, Tea Party-this and Bobby Jindal-that and Republicans are trying to eat our babies. The standard stuff, with a sepia-toned populist twist.

At night’s end, after Edwin has received throngs of idolaters, Trina and I stand outside with him. “My dogs are barking,” she says, her heels killing her, and the three of us take a bench. Since Trina is a Republican, we both give Edwin the business about going more savagely partisan tonight. “That’s the first time I’ve ever heard you do that. . . . I felt accosted,” says Trina.

To be sure, Edwin did ramp it up at the pep rally, trash-talking Jindal for destroying everything from the charity hospital system to the education system to just about any other system you can name. He prattled on about Republican attitudes toward “Hispanics and blacks and Jews,” who “they claim they have a big tent [for], but it’s hard to get in.” The crowd gobbled it like kibble, of course, but both Trina and I found it beneath him. Edwards being Edwards, however, he did take off in some unorthodox directions. Sitting there, reviewing his performance, I marvel at the things he got away with that might cause a more conventional politician to have to find another line of work.

There was the joke he returned to (three times by my count) about Ben Jeffers, his former chief of staff who won the night’s lifetime achievement award. Edwards kept suggesting Jeffers wasn’t actually black, in front of a mostly black crowd. (Jeffers is a light-skinned African American, and Edwards, it should be noted, likely appointed more blacks during his administration than any Southern governor of his time or any other.) Then there were the extended sexually themed Cajun jokes that didn’t have much to do with anything. There was also the long discussion of his prison record and the trial.

This could sink anyone else, I suggest. But the crowd practically hoisted him to their shoulders and paraded him around the room. Upon hearing my review, Edwards looks alternately pleased and slightly insulted. As if to say, why wouldn’t he be able to carry it off?

“I hate to throw bouquets to myself,” he says, “but the

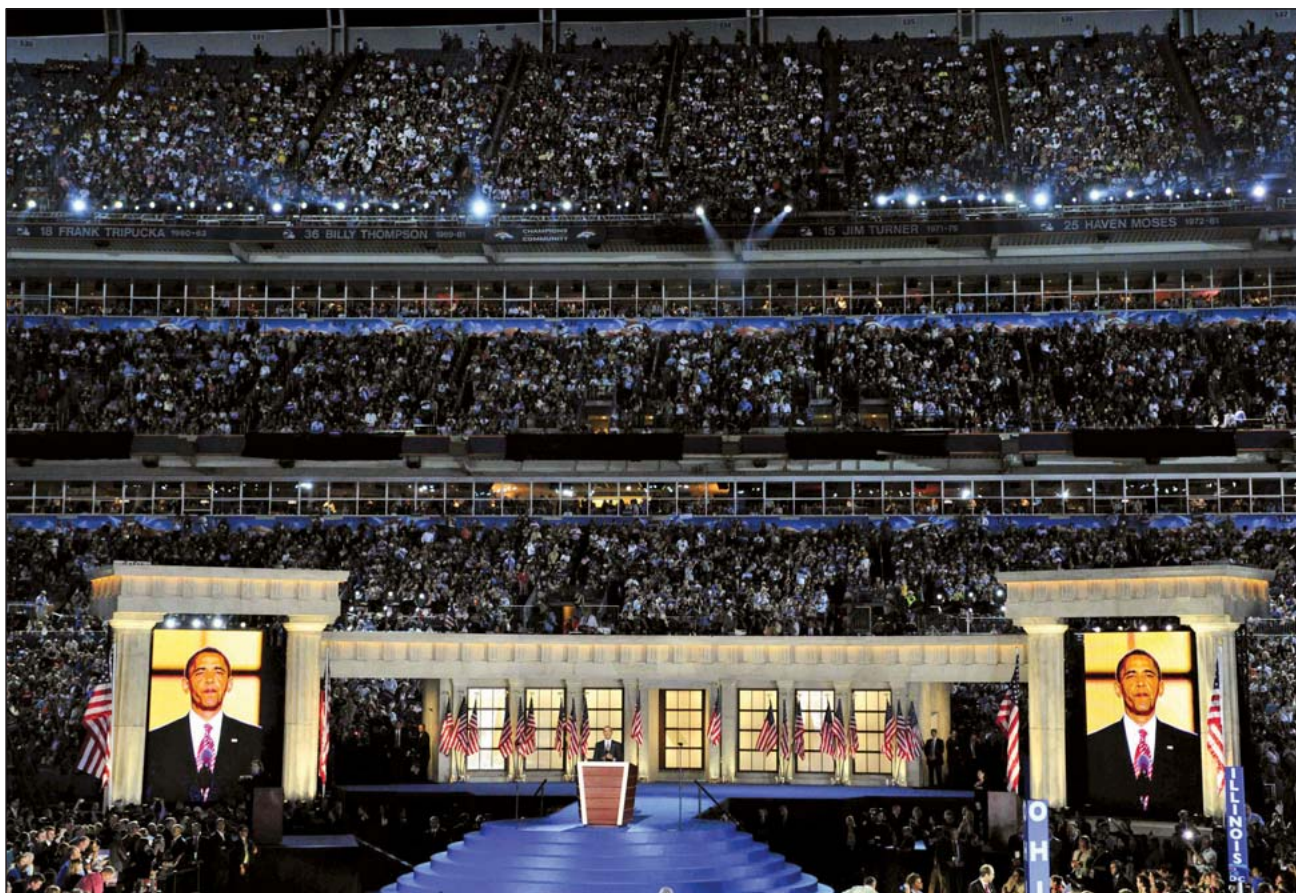
bottom line, if I try to explain it to you, is simply this: no hypocrisy. That’s what gets most politicians. People will forgive you for just about anything except being a hypocrite. . . . I’m outspoken. It gets me in trouble sometimes. On the other hand, it’s the way I am. I’m not going to B.S. anybody. [Tonight], I went as far as the line would let you. I would’ve not gone any further, because that would’ve been improper. But there’s a line you can get to, and people understand that. . . . They know me and I know them. They know where my heart is, and that’s all that matters.”

Perhaps worried he’s gone too earnest, he adds, “You can tell your peers you met the only living politician who can get away with whatever he wants.” Most of the time, I remind him, except for that decade he spent in the pen.

A few nights earlier, Leo Honeycutt, who probably knows Edwards as well as any writer ever will, told me Edwards doesn’t have any real close friends. He tends to keep the counsel of the only man he trusts—himself. So I’m taken aback when Edwin bids me adieu, saying, “You’re one of the only friends I have on the other side, make sure nothing happens to you.” I don’t know what he means by “other side.” Conservative? Journalist? I don’t bother asking. But flashing back to our kayfabe caper, the thought occurs to me that I’m getting worked by the Silver Fox. If so, at least I’m getting worked by the very best.

On the way home, I stop by the Kingfish Lounge in Huey’s old hotel and order a nightcap to go, taking my whiskey for a walk down the promenade along the Mississippi, which lies a few hundred yards beyond. Downriver a little, on the Belle of Baton Rouge Riverboat Casino, a band is pumping blue notes into still air. I stop in front of a place the locals call Paperclip Pier. Because the Mississippi rises and falls as much as 40 feet, it’s not a conventional pier. The end of it spirals down into the water, so that cruising boats have multiple options for debarkation, depending on the river level.

I stroll to the end and take the corkscrewing walkway all the way down, the river flowing over its lower reaches. In my suit and dress shoes, I walk right up to the water line, but don’t cross it. I have a superstition when visiting strange cities. If they’re near a water body of note, I need to touch it. There is none more notable, of course, than the Father of Waters itself. From a distance, with the city lights shimmering off it, it looks placid and lazy. But up close, it’s another story. People drown here, deceived by its appearance. I watch the river move for a long time, and don’t spot the bodies of anyone’s enemies floating by—just driftwood collecting in the eddies. I set my bourbon down, and put my hands in the river. It is cool and muddy, and beneath the surface, there’s no telling which way the crosscurrents run. ♦



Barack Obama accepts the Democratic nomination for president, Denver (2008).

Kingdom Come

The irresistible rise of the imperial presidency. BY JAMES W. CEASER

There are no copyrights on book titles. F.H. Buckley nevertheless shows remarkable audacity in borrowing *The Once and Future King* from T.H. White's children's classic, published in 1958. White enchanted his readers with a fantasy based on the Arthurian legend, replete with swords and sorcery, while Buckley has given us a sobering account of the transformation of the American presidency into an elective monarchy. Nothing seems to connect these two

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The Once and Future King
The Rise of Crown Government in America
by F.H. Buckley
Encounter, 424 pp., \$27.99

works—Buckley makes no effort to do so—except, perhaps, for one improbable accident: White's story, adapted to the Broadway stage as the musical *Camelot*, became the lens for liberals' fanciful interpretation of John F. Kennedy's presidency, a template today for progressives' worship of their president-king.

Buckley devotes much of his time to historical analysis, but his book could

easily highlight many stories on the evening news. President Obama began this year telling Americans that he was prepared to govern with a "pen and a phone," a rare promise on which he has remained true to his word. Hardly a month passes in which the president has not acted on his own discretion, neglecting or contravening the will of Congress.

How does one grow presidential power? Let us count the ways: by selective enforcement of laws, by running government programs with unconfirmed "czars," by acts of mass clemency, and by outsized use of regulation. Barack Obama is certainly not the first to avail himself of some of these tech-

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niques. Yet one fact is undeniable: He has brought governance by decree out from the shadows and into the bright light of day, changing it from something presidents once did but preferred not to speak about, to something that the president openly celebrates before cheering partisans.

Many remark on the advent of a “new normal” in the economic realm, in which millions now accept as a matter of course the absence of employment opportunities. Should people not also be worrying about a “new normal” in politics, in which the former balance among the political branches has been permanently subverted?

F.H. Buckley does not directly attribute the emergence of what he characterizes as this new “constitution”—our fourth by his count—to the Obama presidency. Though an admitted conservative, he is at pains to emphasize that his analysis is driven by a concern with broad institutional developments, not partisanship, which is more than can be said for the legions of commentators who have exhausted themselves going back and forth in their constitutional interpretations to fit their preferences for the person who occupies the White House. Still, since so many of the examples Buckley catalogues are drawn from recent events, it seems fair to say that the Obama presidency represents, for him, the fullest flowering of the new system.

For the progressive establishment in both the academy and the media, this concentration of power in the presidency was not meant to be. Recall how the organs of progressive opinion excoriated George W. Bush in his second term, not just because of his policy decisions but on the higher grounds of abuse of power. Progressives converted en masse to a version of constitutional literalism and convinced themselves that their leader must subscribe to it as well. And, directly to the point, Barack Obama engaged in enough rumblings about the outsized character of the executive power to satisfy the faithful. Fox News now specializes in rolling out some of the old recordings in which Obama, reminding his audiences of his pedigree as a teacher of constitutional law, talked the talk; condemning, for

example, Bush “signing statements” that “undermine congressional instructions as enacted in law.”

Yet the truth is that Obama never articulated a full-blown doctrine of executive power, whether because he was uninterested or because he was too shrewd to tie himself down. If anything, he has remained an advocate of the living Constitution, which, so far as the powers of the presidency are concerned, has meant a Constitution that lives for him.

Obama’s use of his powers has met with a variety of responses from progressives. For a few, like the legal scholar Bruce Ackerman, who invested so much intellectual effort in attempting to curb the supposed executive abuses under Bush, Obama’s practices have been a matter of bitter disappointment. From conviction and a need to protect professional reputation, some have spoken out; most progressives, however, have turned a blind eye. If there is one topic that must not be broached in polite conversation, it is the question of constitutional limits on presidential power. Those who have braved this ban—at least in the secret compartment of their own thoughts—have probably come to admit to themselves that they were, all along, less devoted to the Constitution than to that more fundamental and ancient principle of right: *Salus Obama suprema lex esto* (The good of Obama is the supreme law).

Yet so bald a declaration no doubt would have left some uneasy and in search of a publicly defensible doctrine to justify Obama’s rule by the pen. They found it in the argument, conceived of by intellectual enablers inside the community of political scientists, regarding congressional “dys-functionality.” Because of the grave emergency that is the opposition party in Congress not consenting to the president’s agenda, ordinary procedure and constitutional restraints must be relaxed or suspended.

A strong point of Buckley’s book is that he does not limit himself to the study of the American presidency but gives extensive treatment to executive power in Great Britain and Canada.

Buckley speaks, in particular, with great intelligence about institutional developments in Canada—at least I believe he does, since there has never been an American with sufficient knowledge of that country’s history to qualify as a competent judge. Buckley is no exception; he is Canadian. His comparative approach enriches the analysis. Given the common elements of their history, people in all three nations have an idea of what is meant by “crown government,” or the rule of one person. At some point in the 19th century, all three nations managed, by different means, to move away from this system; but here they are today, Buckley argues, all slouching back to it. Modernity “insists on one-man rule. As in America, this is unlikely to change in Britain and Canada.”

Faced with this disappointing prospect, Buckley seems of two minds about what might be done. On the one hand, for much of the time he comes close to suggesting that very little or nothing is possible. His comparative perspective serves to reinforce this conclusion, for if all of these nations are experiencing a similar result, it must be because of larger trends that are “irreversible.” Buckley cites the rise of the regulatory state, which gives broad discretion to administrative agencies (and, ultimately, to the executive), and the advent of the modern media, which inevitably favor the individual leader over a collective assembly. Add in mass elections and a public infatuated with charismatic personalities, and you have a recipe for crown government. Personal rule is our fate, and the best we can hope for is to avoid outright tyranny. If Buckley were asked, as Benjamin Franklin was in 1789, “What kind of government will we have?” his response might be: “An elective monarchy, if you can keep it.”

Yet it is doubtful that Buckley would have written *The Once and Future King* just to preach resignation. His prose explodes with energy and his disposition seems to favor the notion that if something *must* be done, something *can* be done. One strategy he suggests to arrest the further growth of executive power—a practical strategy that could be implemented within the current

overall framework of American government—involves three partial remedies: First, institute national referenda, which would provide a counterbalance to the president's public opinion mandate; second, adopt congressional reforms, which would make Congress more respectable and better able to stand up to the president; and third, make use of impeachment.

Congress should impeach and remove presidents often: when their policies fail, when they are touched with scandal, or for no reason, just for the spirit of the thing.

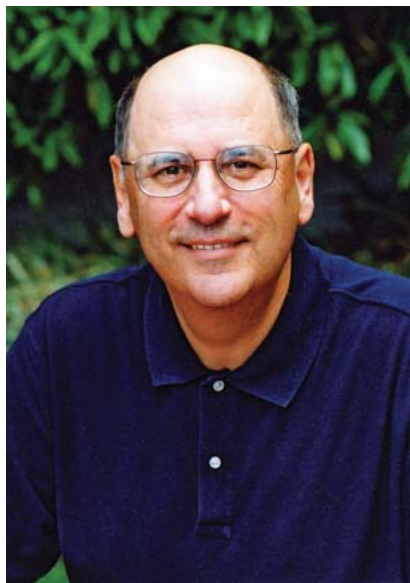
This attempt at provocation is amusing, but one wonders why Buckley does not go all the way and recommend regicide. Crown government never fully recovered after Charles I was dispatched.

Buckley's other strategy falls into the realm of the fanciful, coming (as he says) "a bit late in the day." It is for America "to adopt the parliamentary form of government." Fanciful or not, this is where his heart lies, and much of the book is devoted to exploring the question of which is better, a parliamentary system or a separation-of-powers system. This old chestnut, once a staple of introductory university courses in American politics, has by now been baked, roasted, pan-fried, and, most recently, microwaved. Apologies are owed to the thousands of students whose intellectual development has been sacrificed on the slaughter bench of a vain pedagogical exercise—vain, that is, if its purpose is not merely heuristic (to understand something about these systems) but meant to offer instruction about a real choice.

As for which system is better in the abstract, no less an authority than Hillary Clinton could rightly ask, "What difference, at this point, does it make?" Legal framework is so embedded in the place where it grows up—its traditions and its party system—that it is impossible ever to know what results from the framework and what from the context. Nations that have enjoyed a fair degree of success—and America is surely one of them—would accordingly be foolhardy to indulge

in experiments to change, wholesale, their political system.

Buckley provides an excellent survey of the issues in the old debate about democratic constitutional forms, and he has added both new considerations and modern methods of analysis. For the record, his conclusion is that a parliamentary system, hands down, is superior: not (as noted) for obviating one-person rule—that is impossible—but for better restraining it (prime ministers can more easily be sacked than presidents, for example) and for promoting more efficient government.



F.H. Buckley

In the end, Buckley finds little that is attractive in a messy system of separation of powers, plagued as it is by rent-seeking legislators and in which there can be years of unresolved deadlock among competing power centers. Deadlock, however, shows how much power in the United States still lies with Congress, even accepting part of Buckley's warnings about personal rule. Without deadlock, we would have today—and this is just for starters—a second and third stimulus package, much higher tax rates, universal preschool education, and wind turbines stretching from sea to shining sea. With all their power, presidents have often found their second terms to be, on the domestic side, experiences in pure frustration.

Many American readers might grant Buckley most of his points about the superiority, in the abstract, of a parliamentary system—and do so without being unduly disturbed. The fact is that this country has rarely sought to proselytize on behalf of the Constitution as distinct from representative government generally. Presidents have long met with democratic prime ministers without insisting on regime change as a precondition for discussion.

Where Buckley might definitely ruffle some American feathers, however, is in his contention that the Framers never wanted, indeed never really sought to institute, a separation-of-powers system, which only fully developed later. What they favored—"they" being the delegates to the Philadelphia Convention—was a system of congressional government and thus, really, a system akin to the parliamentary model:

People today might support the principle of separation of powers for a variety of reasons, but fidelity to the intentions of the founders is not one of them.

With the fortuitous help of this historical discovery, Buckley hopes to eliminate all originalist claims in support of the separation-of-powers system and keep alive his slim but undying hope for a Prime Minister Marco Rubio or Elizabeth Warren.

Fortunately, authors are not responsible for the hype publishers put on book jackets; but the claim, in this case, that Buckley "debunks" the "myth" of the separation of powers—or that he intended to—seems about right. Americans can rest assured, however, that the myth is no myth, and that nothing of value has been debunked. It comes as no shock, really, to learn that many of the delegates entered the 1787 convention inimical to a strong executive in a separation-of-powers system. And it is no surprise, either, that many of them left the convention in the same state of mind. After all, hadn't the United States recently fought a long and brutal war against the alleged tyranny of George III?

But there was a critical group of

delegates that included Gouverneur Morris, James Wilson, Alexander Hamilton, James Madison (by the end), and, presumably, George Washington, who, drawing on the model of New York's constitution, thought that an independent executive was essential to the new system they aimed to create. The constitutional system was meant to correct for excess in the revolutionary spirit and to establish a strong executive without instituting crown government. It was this position that was written into the text and approved by the delegates.

From an originalist perspective, what is important is not what this or that delegate may have thought at this or that moment, but what is in the text of the Constitution; and where there are questions of how the text is to be understood, originalists point to how it was understood by those who ratified the document, as they possessed the relevant legal authority. By this standard, no one was under any illusion.

Forget, as Buckley does, about the proponents of the Constitution who defended a strong presidency. Look, rather, at the opponents. One of their main objections to the Constitution, echoed in state after state, was that it provided for too strong an executive. An even more compelling piece of proof against the idea that the Framers favored "congressional government" is to be found in Washington's presidency, which is well known for its demonstrations of strength and independence. Are we to suppose that this man, who presided over the Constitutional Convention, was in error about what was in the Constitution? Or worse, that this man, who as a youth purportedly could not persist in a lie about chopping down a cherry tree, engaged in the unseemly business of fabricating and perpetuating a myth?

Before our current president-king abdicates, some serious reflection needs to be given to how we can restore constitutional balance in our separation-of-powers system. Doing so will require a return not to the thought of the original progressives from the turn of the 20th century, who rejected the idea of separation and sought to build an out-

sized president who would dominate the whole of American politics, nor to the progressives of 2004-08, who sought to tie in knots the president's field of action in foreign affairs. It will require, instead, a return to the logic of the Framers who fashioned the Constitution. By this logic, it is inadequate to speak of a one-dimensional characterization of the presidency as strong or weak: Determining the president's role in this system depends on distinguishing between a zone of law, where the guidance of policy by general rules is possible and in the public interest, and a zone of "high" discretion, where policy cannot be set, or set effectively, by general rules.

The empire of law applies mostly in domestic affairs, the empire of high discretion in foreign and national security affairs and in situations of grave emergency. The Constitution places the zone of high discretion in large measure under the control of the executive and the zone of law under the control of the lawmaking process, where Congress and the president share control. The great imbalance that has grown consists of the president's accumulation of more of the power in this realm, sometimes assuming it outright and increasingly using control of "low" discretion, which is granted to regulatory administration in modern government, not just to administer but to set broad "legislative" policy.

Every crisis presents an opportunity, and conservatives must ready themselves to articulate a doctrine of constitutional balance. This task requires the discipline to avoid the trap of deriving constitutional principles from a reaction to recent partisan experience or from calculations of near-term partisan advantage. Just because a president or a Congress has exercised power in ways one disapproves of, there is no reason to curtail and deny that power.

If conservatives prepare themselves to lead, they may be surprised at the prospect they have of succeeding. Not only has progressive constitutionalism discredited itself intellectually; if it appears that there is a good prospect of a Republican president being elected

in 2016, progressives may be desperate to deal. In the zone of law, progressives—*count on it*—will not want to extend to a conservative president the new pen-and-phone powers that they have so slavishly and ignominiously acquiesced to over the past six years.

By renouncing these powers, conservatives must demand of progressives that they, too, elevate the limitations to a constitutional status. To avoid punishing themselves for following principle, conservatives must add a proviso that the next president will reserve the option to undo by the pen whatever the last president did by the pen. This proviso would be advanced not in the name of claiming any inherent presidential power but in the name of correcting an unconstitutional abuse of power. After that, the pen goes back into the pocket.

In the other zone of high discretion, a different strategy should be followed. Conservatives should "pocket" a good many of President Obama's claims and practices and endorse many of his signing statements. No matter how much conservatives might have disagreed with how Obama used his discretionary powers, what matters, from a constitutional perspective, is that he used them. President Obama renounced much of what lecturer, senator, and candidate Obama once took to be progressive constitutional doctrine.

His stand as president should be taken as the new and true progressive standard, isolating the old progressives who never tired of screaming about the imperial presidency for partisan advantage. Of course, there has always been debate about exactly where in security and foreign affairs the zone of law ends and the zone of discretion begins. There is no magic formula. But the Constitution establishes, the nation wants, and the world needs an American president with broad authority in this preeminently executive realm.

Achieving constitutional restoration, even under the best of circumstances, is a tall order. F.H. Buckley has helped to pose the problem. For its solution, we will need all the wit, wisdom, and wizardry of T.H. White's Merlin. ♦

Perchance to Dream

Night visions of Americans, and what to make of them.

BY JUDY BACHRACH

It's hard to know what to make of *Lincoln Dreamt He Died*. On reading the title, my first irrelevant thought was: *Hey, safe bet*. My second: Contrary to popular mythology, many of us dream of our own deaths—and guess what? We're prophetic! Then I studied the subtitle and worried some more. Was this going to be as bad as the publisher heralded? Was I not only going to have to read about other people's dreams but also have them interpreted by the author, Andrew Burstein—in the kind of sexy, probing, embarrassing, and unlikely way that makes everyone cringe?

The answer to that last is: fortunately, no. Burstein is a historian, which is both good and bad news for the reader. It is good because, given his profession, Burstein is pretty standoffish about interpreting the dreams recounted; he's a recorder, that's all. The bad news is that, given his profession, he knows all too much about a lot of obscure figures in American history who have, frankly, some pretty tiresome dreams. (You and I could do much better, generally speaking.)

In 1790, for instance, Senator William Maclay of Pennsylvania dreamt of someone falling from "a place like a saw mill." In 1825, someone named Jane Bayard Kirkpatrick had "a sweet vision" of her son—apparently he leaned his head on her shoulder—even though he was in South America at the time. I could go on. As they do. At times, it's like being stuck on a plane next to a soliloquist.

Most of these dreamers, in other words, are definitely not Abraham Lin-

Lincoln Dreamt He Died

The Midnight Visions of Remarkable Americans from Colonial Times to Freud
by Andrew Burstein
Palgrave Macmillan, 336 pp., \$28

coln, whose dreams before battles were passionate and interesting, if always the same: "He seemed to be in some singular, indescribable vessel, and that he was moving with great rapidity toward an indefinite shore," according to Lincoln's secretary of the Navy. But here's the problem, and not simply with certain Lincoln dreams but with the whole book: At the rare dramatic intersections, almost every one of them, it is the author himself who undercuts the excitement. Okay, he's a historian; he's not supposed to embellish or exaggerate. But can't he tell a story straight?

It is probably instructive that Lincoln, when asked by his wife whether or not he "believed in" dreams (whether he viewed them as prophecy, in other words), Lincoln supposedly replied, "I can't say that I do." But it's probably also true that he said that to soothe a frantic Mary Todd Lincoln, especially since the dream in question—the dream of the book's title, of course—was especially terrifying. According to an account revealed by yet another of his friends, Lincoln dreamt of wandering from room to room in a White House flooded with the sounds of "pitiful sobbing." On reaching the East Room, he found a decorated coffin. His own, Lincoln quickly discovered. His death, he learned in the dream, was the work of "an assassin."

It is at this juncture that the author feels compelled to tell the reader that he very much doubts that a wife of such long standing would ever have asked

such a question of her husband. By then, he implies, Mary Todd Lincoln would surely have known whether her husband did or did not believe that dreams herald the future. And if that part is suspect, he suggests, maybe the whole damn story defies credulity. "The reader must decide whether the entire vignette should be dismissed on the basis of one tiny clue to its inauthenticity," he writes.

What a drag. Who wants to be regaled with the precise layout of such an intriguing presidential dream—the sobbing, the East Room, the coffin, the grim realization—only to learn that the author will allow you, if you absolutely insist, to disbelieve it entirely because, in his opinion, Mrs. Lincoln's improbable question to her husband just might have undercut the whole thing?

In fact, as someone who has just completed a book on what used to be called "near-death experiences" (I call them "death travels"), I can tell you that there are plenty of elements regarding death and its aftermath that spouses and lovers keep to themselves for a very long time—sometimes forever.

They may be anxious, as many have told me, that a recitation of such events or experiences will mark them as fruitcakes in the eyes of those they love; and those fears, given the divorce statistics among them, are not irrational. Or they may be nervous, as Lincoln clearly was, about frightening family members and friends with the vivid, inexplicable oddities of what they have seen.

And the shame of it is, that is what some dreams (the more interesting and lively ones anyway) really are: precursors of the future. Sawmills and sightings aside, Burstein's is simply an account of hints and insinuations. He never quite makes the connection. And he should have. After all, he quotes Mark Twain (who indulged in a long and fervent fondness for the psychic) in his lovely description of dreams and what they project: "Everything in a dream is more deep and strong and sharp and real than is ever its pale imitation in the unreal life which is ours . . . in this vague and dull-tinted artificial world." When we die, he added with considerable authority, we will "go abroad in Dreamland clothed in our real selves." ♦

Judy Bachrach, a contributing editor to *Vanity Fair*, is the author of *Glimpsing Heaven: The Stories and Science of Life After Death*.

Down to the Seas

In pursuit of land, knowledge, and adventure.

BY JOSHUA GELERNTER

At the end of the 19th century, physicists smugly proclaimed their field closed.

“There is nothing new to be discovered in physics,” said one of them, possibly Lord Kelvin. “All that remains is more and more precise measurement.” This was just before Planck and Einstein. At the beginning of the 21st century, students who trickle through primary school smugly dismiss Christopher Columbus—after all (they say), everyone already knew that the world is round! What the little darlings don’t understand is that Columbus isn’t famous for discovering the roundness of the earth; what he discovered wasn’t a globe but a globe with a giant blank spot.

That was 1492. Two hundred years later, a lot of the blank part was still blank. The Americas were being charted, but the Pacific remained a mystery. Even the parts that made it onto maps were unknown quantities, full of mysterious animals, plants, and peoples. Then, as the 17th century ended, the exploits of William Dampier began to stir up Europe. Dampier was a sometime pirate, part-time explorer, amateur naturalist, and avid journalist. When his journals were published in England, tales of tropical wonders triggered new interest in the New World. “Their appeal was widespread,” writes Glyn Williams in *Naturalists at Sea: Scientific Travelers from Dampier to Darwin*. “Scholars, publishers, seamen and merchants, and casual readers after a good yarn were all attracted. For some . . . Dampier’s books became the standard model for voyages sailing to distant parts of the world.”

Before Williams gets to Darwin, how-

Naturalists at Sea

*Scientific Travelers
from Dampier to Darwin*
by Glyn Williams
Yale, 328 pp., \$38



William Dampier

ever, he relates 13 other voyages over the bounding main, and every one of them is a good yarn.

They start in Russia. “When Peter the Great visited West European capitals in 1716 and 1717,” Williams writes, “he was unable to give specific answers when questioned about the extent of the Asian Continent.” Russia was then a scientific backwater; the embarrassed Peter rectified the situation by establishing a Russian Academy of Science and bringing some Western Europeans east.

In the 1720s, they began to study Russia’s unexplored extremities. In 1731, a Dane in the Russian Navy named Vitus Bering was commissioned to investigate the newly discovered Alaskan coast. He would be accompanied by a German naturalist named Georg Steller, whose ascetic zest

for science prompted an amused colleague to write that Steller’s “drinking cup for beer was the same as his cup for mead and whiskey. Wine he dispensed with entirely. . . . He needed no chef. He cooked everything himself. . . . It was no hardship for him to go hungry and thirsty a whole day if he was able to accomplish something advantageous to science.”

In 1741, after a decade of preparation, which included a trans-Siberian trek and ship construction *in situ* at the Pacific’s edge, the Bering/Steller expedition set off. A month and a half later, they reached the American coast.

This Alaskan landfall was one of the defining moments of world geography, although this was clearer in retrospect than at the time. Amid the crew’s mutual congratulations, Bering remained unmoved, simply shrugging his shoulder as he looked at the distant land. Later, in his cabin, he complained to Steller about the hysterical reaction of the “pregnant windbags” on board, and he worried about the accidents that could befall a ship so far from home.

Bering’s crotchety—not the ideal attitude for an explorer—was brought about by failing health. Three days later, they docked at Kayak Island. Steller went ashore with a crewman to assist him and found an abandoned Eskimo settlement. Steller sent his assistant back to the boat to request that Bering send additional men to explore the area. By himself, Steller set off towards some smoke in the distance: “His solitary venture on a totally unknown island, armed with only a knife for digging up plants, showed professional commitment and personal courage of the highest order,” says Williams. As he explored, Steller received word from Bering that he wouldn’t be getting any more men and that if he wasn’t back on the ship within an hour, he would be left behind. Steller was furious: “The only reason no landing was attempted on the mainland was a sluggish stubbornness and cowardly fear of . . . savages . . . and a cowardly longing for home. . . . [T]he time spent for the investigation bore an arithmetical relationship: the preparation for this ultimate purpose lasted ten

DE AGOSTINI / GETTY IMAGES

Joshua Gelernter is a writer in Connecticut.

years; twenty hours were devoted to the matter itself.”

As the expedition made its way south, scurvy began to take hold of the crew. Steller’s attempts to treat the disease with greens he had gathered onshore were scorned by the ship’s officers; before long, “Steller was one of only four reasonably fit men.” The ship’s first officer, Sven Waxell, recorded that “a day seldom passed without our having to throw the corpse of one of our men overboard.”

So many of our people were ill that I had . . . no one to steer the ship. . . . [W]hen it came to a man’s turn at the helm, he was dragged to it by two other of the invalids who were still able to walk a little, and set down at the wheel. . . . I myself was scarcely able to move about the deck without holding on to something. . . . Our ship was like a piece of dead wood, with none to direct it; we had to drift hither and thither at the whim of the wind and waves.

Steller assisted as best as he could, sometimes taking the helm, “even though,” he wrote, “it was not in my job description.” When shore was next spotted, the desperate condition of the crew demanded an immediate landing. Their ship was anchored a few hundred yards from the beach, and the sick began the move to shore: “Many died on deck as soon as they were brought out into the air;” reported Waxell, “others died in the boat before they ever reached soil, and others died the moment they were set ashore.” No one knew where they had landed. It turned out to be an island, which “was the more depressing because . . . gales had driven the ship ashore, where she sank into the sand and was filled with water.” Waxell wrote of the bleak situation:

We now saw ourselves threatened with certain destruction, being on an unknown desert island without a ship or timber with which to build a new one, and at the same time with little or no provisions. Our people were very sick and we had no medicines or drugs of any description. Nor were we even decently quartered, but lodged, so to speak, under the open sky.

Will they make it? Will they make remarkable discoveries in natural history that warrant the expedition’s inclusion in this book? I won’t spoil it for you, but giant manatees are involved. In future installments, James Cook charts New Zealand, George Vancouver discovers Vancouver, and a French explorer named Paul-Antoine Fleuriot de Langle finds himself in a shallow cove sur-

rounded by thousands of angry Polynesian warriors.

Despite the excitement, Williams’s style is serious and to the point. This book is pulp-free; the stories have been carefully reconstructed from journals, and they recount genuinely important events, the exploits of a crowd of important men. Successfully filling in a historical blank makes this an important book. ♦

BCA

Northwest Passage

A vision of the world in the grain of Duluth.

BY ROBERT WHITCOMB

One of the cities of my boyhood was Duluth, Minnesota, where most of my mother’s family lived when they weren’t in Florida. I recall it as spectacular, with high hills overlooking the unswimmably cold Lake Superior, evergreen forests, and many signs of intense industry and trade. In 1868, Dr. Thomas Preston Foster, founder of the city’s first newspaper, dubbed Duluth “the Zenith City of the unsalted seas.” Glorious boosterism! Sinclair Lewis, who lived in the city for a while (and lauded its beauty), must have loved the nickname.

The biggest source of Duluth’s wealth was one of the world’s largest iron-ore deposits located to the northwest of the city, in the Mesabi Range. That, grain, and some other resources of the Upper Midwest were shipped out of Duluth, mostly by boat on the Great Lakes. The people who owned the companies that did this commerce tended to be of English and/or Scottish descent and lived high on the hills overlooking Lake Superior (which smelled of iron)—not to mention high on the hog—while helping to make

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Zenith City
Stories from Duluth
by Michael Fedo
Minnesota, 216 pp., \$16.95



Canal Park and lighthouse (2005)

America rich. They ate and got drunk at the Kitchi Gammi Club.

The middle class and below, many of whose members were of Scandinavian and German ancestry, had their own haunts heavy with hearty food. But for big events, a remarkably wide range of people patronized The Flame restaurant. There was some social integration in this rather feudal burg besides in the cemeteries.

Duluth is the sort of place that

people in New York make fun of as being provincial, a kind of subarctic Peoria. My memories are more of its romantic remoteness: What was a real city doing way out there? Journalist Michael Fedo, a middle-class kid of Italian and Swedish background, was born and grew up in Duluth before clearing out in his 20s. He now lives near Minneapolis. Of course, ambitious and/or artistic types such as Fedo tend to want to quit old industrial cities, which they find too confining and predictable, but some come back when travel writers discover the charms of these communities and gentrification sets in: Artist lofts! Vegan restaurants!

Fedo is now in his 70s, but his nostalgic, bittersweet, sometimes clinical memories remain sharp in this book of essays. It's mostly conventional stuff from a sincere fellow—not that there's anything wrong with that! My biggest complaint, besides there being a few patches of convoluted and over-elevated writing, is that these essays have less of a sense of place than I would have liked. Much of Fedo's tales could have been set in just about any number of Heartland cities. He briefly outlines Duluth's history, back to the arrival of the French, and from then on, it's mostly the usual stories of a quite normal boy, and then young man, with apparently minimal angst. He writes about his kindly and grumpy relatives, his schoolteachers, his love of baseball, boyish pranks, and Duluthians' desperate longing for famous people to touch down to validate the port city's importance. As Fedo proudly relates, besides Sinclair Lewis, Joe DiMaggio, Louis Armstrong, and a few other luminaries did show up.

I would have liked more description of Duluth's theatrically cold and violent winters, ore boats, and gritty waterfront—where my uncle ran a firm romantically called the Zenith Dredge Co.—and the activities of the tough characters of the Mesabi Range. And this book very much needs maps and more than just one depressing black-and-white photograph of a bridge painted with “Welcome to Duluth.” As usual, I suppose, we can blame the publisher.

He overdoes the tendency of the city's

residents to deprecate themselves, said to be a Minnesota tradition based on the state's large and austere Scandinavian population. He writes: “[O]ur hometown was a city with an inferiority complex. Subservience infused our culture.” I remember quite different attitudes: a kind of clubby arrogance among the rich and quiet confidence in the middle class.

Still, Duluth is a solid example of the grand tradition of American towns and small cities whose denizens frequently refer to the times when the community could have become another New York, if only, say, a certain rail line had been linked to the city, or some crook in Manhattan had not cheated an honest local businessman, or a financial crash had not come when it did. And indeed, Duluth, as the westernmost port on the Great Lakes, might have become considerably bigger, if nowhere near as big as its boosters claimed it could have been. (Of course, these dashed

hopes imply that it would be *good* to be another New York.)

Fedo obsesses about the lynchings, in 1920, of three African-American circus workers who had been accused of raping a white woman: The outrage was rarely mentioned in public until Fedo wrote about it, many decades later, in his book *The Lynchings in Duluth*. He states here that “If Duluth was a city with collective amnesia, it is now very much a city with citizens willing to confront its past, admit its sins, and move forward in a spirit of forgiveness and togetherness.” The implication is that the whole city was somehow complicit in the crime.

Actually, I doubt that most Duluthians give much thought to this case of northern racism. They're more worried about the unemployment rate and proud of the curious recent redevelopment of parts of the rusty city for “creative types,” such as Fedo. Maybe he should move back. ♦

B&A

Strike a Pose

The unbearable lightness of being cool.

BY RYAN COLE

The adulatory use of the word “cool” is often credited to Lester Young, the tenor sax man, but the provenance is somewhat murky. Less uncertain, however, is that the term, no matter its definition, is a description many seek: from celebrities posturing on screen and in print to the rest of us strategically oversharing everything from our musical tastes to the contents of our breakfast via Facebook and various other social media platforms that end with the letter “r.” The quest for cool is an ongoing and noxious obsession.

So you can't really blame the National Portrait Gallery for its latest exhibit. On the second floor of Washington's Old Patent Office Building, the word “cool,”

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American Cool
National Portrait Gallery
through September 7

brought to life by blue neon, beckons visitors to this glittering pictorial gathering of America's 100 greatest antiheroes.

You might ask: What, exactly, constitutes coolness, and how does one quantify it? Is it not an entirely relative and personal matter? After all, even the oft-maligned melon-smasher Gallagher has a devoted following. Enter Joel Dinerstein and Frank H. Goodyear III, the show's curators, who have embraced the difficult task of figuring out just who are the coolest 100 Americans of all time. To accomplish this, they asked that candidates possess an original

artistic vision, be instantly recognized by the masses, leave behind a “recognized cultural legacy,” and flash the proper amount of rebellion. Add these up and, as we will see, only entertainers are capable of high-level coolness: Jonas Salk, for example, and Chuck Yeager are not cool. In any case, one gets the drift that the rebellion quotient was paramount in the selection process. “This is a nation born in revolution, a country [that has] always valued rebellion,” Dinerstein explained to the *Washington Post* earlier this year.

From George Washington to Susan Sarandon, we’re a nation of rebels.

Accordingly, a visit to “American Cool” can charitably be described as akin to a stroll through a three-dimensional copy of *Rolling Stone*, complete with echoes of that magazine’s politics. Here’s Johnny Cash, the Zeus of country music, a man who knew of “the rocky quest for redemption as walked by the fallen and disenfranchised,” posing pensively in front of Folsom Prison. And there’s Willie Nelson, that “tireless advocate for marijuana legalization.” (No mention of the Taco Bell commercials the pair cut back in the 1990s.)

Bruce Springsteen, the blue-collar bard who “considers his art a job of social leadership,” isn’t far away, looking typically earnest. A portrait of Jon Stewart, known for his “even-handed interviewing style,” is down the hall, looking typically smug. The rocker and the satirist also share the invaluable ability to transform from social commentator to entertainer when effectively challenged on their opinions.

Elsewhere we find the usual timeless icons (Brando, Bogart, Dean) and the expected lineup of acclaimed boozers (Burroughs, Thompson, Pollock), a millionaire hip-hop mogul (Jay-Z, “the synthesis of American culture’s love of outlaws who live in opposition to cultural approval”), a pop diva (Madonna, “an early activist for gay rights”), lots of other New Yorkers (Lou Reed, Patti Smith, Debbie Harry, David Byrne), and at least one Communist (Angela

Davis, whose “afro is an example of cultural politics through style”).

The inane labels underscore this exhibit’s most significant flaw: Whatever you think of the subjects, it’s undeniable that many of the photographs are striking; but the visitor learns almost nothing about the portraits themselves or the artists who created them. Instead, we are treated to the idols’ cool narratives, which alternate between prosaic, as we have seen, and ridiculous



Madonna (1983)

(Missy Elliott: “In her phantasmagoric videos, Elliott dances coolly in space in colorful jumpsuits”) and panting (Christie Hynde: “In leather jacket or muscle shirt, holding her Fender Telecaster lightly, Hynde sings out from under dark bangs and darker eye makeup”).

Sure, this may captivate some, but short of investing in the catalogue (\$49.95), visitors are on their own when it comes to ferreting out the facts behind the portraits. And given that this is the National Portrait Gallery, that is unfortunate.

For example, it would be nice to know more about Thomas Hoepker’s

photograph of Muhammad Ali, in which he is raising his fist to the lens while sitting on a bridge with the Chicago skyline in the distance. The same goes for a charmingly casual photo of Jimi Hendrix snapped by Linda McCartney. And William Claxton’s photo of Steve McQueen driving (no doubt speeding) in his Jaguar XKSS. There is also a famous image from Elvis Presley’s triumphant return to Tupelo at the Mississippi-Alabama State Fair and Dairy Show in 1956.

Visitors won’t likely see or discover the context. Instead, we get didactics that read like fan club letters. In the case of the King, we get quotes from fellow cool guy Bob Dylan and from John Lennon (who would have made the list if he had lived long enough to become a U.S. citizen) vouching for Presley’s coolness, lest anyone question it. But the exhibit—categorized by eras, and dipping back into the 19th century—is strongest when exploring the early 20th century, or “The Roots of Cool.” The less affected subjects here, such as Duke Paoa Kahanamoku, the Hawaii renaissance man who helped popularize surfing, are less familiar and may even encourage visitors to do some research of their own.

This is a vivid lineup of acclaimed and interesting artists, writers, and other entertainers. But the entire premise of “American Cool,” like a fair number of the men and women represented here, is arch and preening. It also makes one question the value of cool. As used here, it too often describes aloof, indulgent, tragic characters whose rebellious gestures seem slightly choreographed. John Wayne, who made it into the exhibit despite his conservative politics, describes his “rebellion against the monotony of life”—although the quote, not given in full, was actually a swipe at Students for a Democratic Society. “American Cool” gives one the faint urge to rebel against the monotony of our obsession with coolness and our glorification of celebrities and their culturally sanctioned “rebellion.” ♦

KATE SIMON

Monkey Business

The 'Apes' franchise goes unintentionally comical.

BY JOHN PODHORETZ

If you really want to know what a bunch of simians—whose IQs have been boosted by drugs to the human level (or higher, maybe even to the Kardashian level)—would do with themselves if that same drug wiped out all of humanity, then you really have to see *Dawn of the Planet of the Apes*. It's quite an achievement. For its first 15 minutes, *Dawn* is history's first nature documentary about animals that don't actually exist in an environment that doesn't actually exist. It's a CGI motion-capture documentary re-creation of a false reality!

The apes have gathered in a redwood forest outside San Francisco and have built a lovely little apartment complex out of trees and caves. Here they live in harmony with each other and with nature, communicating in sign language—even though they can actually speak. But why would they want to, when all one of them needs to do is point to his ear to generate a subtitle like, “You seem distraught, Blue Eyes. What’s the matter?” Boy, are they good at sign language.

At the top of the Apartment Complex of the Apes, reachable by a circular upward walkway that looks like Frank Lloyd Wright’s design for the Guggenheim Museum mixed with his weird earthen adobe architecture at Taliesin West, is a dramatic penthouse. This is where Caesar—the ape who, as a baby, was given the IQ-boosting drug by James Franco in 2011’s *Rise of the Planet of the Apes* and who then grew up to be Che Guevara of the apes—lives, along with his moaning pregnant wife Cornelia and their angst-ridden teenage son. Caesar is played by Andy Serkis, who is

Dawn of the Planet of the Apes

Directed by Matt Reeves



Caesar: ‘Ape. Home.’

making a career out of miming animals and mythological creatures (like Gollum in the *Lord of the Rings* movies) while his actual face and body are transmuted into highly realistic cartoons. He’s really great at it. It’s a living.

All is well for Caesar and the apes, and then some humans show up. It’s been 10 years since the destruction of humanity, but it turns out there’s a tiny community of people living in the ruins of San Francisco. They’re running out of gas, and they want to restart a hydroelectric power system at a nearby dam. After encountering the apes, they run away. Caesar and the other apes jump on horseback and ride across the Golden Gate Bridge to inform the humans to keep their distance. Caesar, who we learned in the first film is a biologically enhanced genius, then speaks: “Human. Home,” he says, pointing to San Francisco; “Ape. Home,” he says, pointing to the suburbs. Which raises the question: If he’s so smart, why can’t he speak in complete sentences?

A big baboon whose job it is to teach the children writes on a blackboard: “Ape Not Kill Ape.” Seriously? As I say, they’re all very smart. I don’t know why they have to sound like Tarzan. Maybe it’s time

for Education Reform of the Apes.

The big question in *Dawn of the Planet of the Apes* is Rodney King’s: Can’t we all just get along? The answer is: Sure they could, but the movie needs some drama and fighting—not to mention that it has to develop its plot in this “reboot” of the series of films from the 1960s and ’70s to the point where apes enslave humans and Charlton Heston shows up in a spaceship. So it’s to be war. One very angry ape named Koba, who was subjected to experimentation in a lab in the first movie, wants to kill all the humans. To do that, he needs to violate the First Ape Commandment and be Ape Who Kills Other Ape.

Dawn of the Planet of the Apes is beautifully photographed and scored (by the great movie and TV composer Michael Giacchino, who wrote the indelible music for Pixar’s *Up* and for the *Lost* series). It’s very somber and very serious, an exploration of the roots of violence and the difficulty of evolving beyond old ideas.

Sure. But God help me, after about five minutes of it, I was distracted by the thought of the innovative 1950s TV comedian Ernie Kovacs. On his seminal variety show, Kovacs featured a group he called the Nairobi Trio: a pianist, a drummer, and a conductor. They moved around as though they were wind-up toys. They all wore long dark coats and bowler hats. The conductor had a cigar in his mouth and kept time, to a rather dainty and bouncy song called “Soleggio,” with a banana. Because they were all apes. Kovacs was the ape with the cigar and, according to legend, at one time or another, Frank Sinatra and Jack Lemmon sat in at the piano.

Director Matt Reeves and screenwriters Mark Bomback, Rick Jaffa, and Amanda Silver ratchet up the moral dilemmas and attempt to turn Caesar into a Shakespearean ape. They really try to make this a decent, thought-provoking film. But I kept thinking about Caesar with the cigar in his mouth, conducting Koba and Blue Eyes with a banana. So if you’re like me, *Dawn of the Planet of the Apes* is unquestionably the comedy highlight of the summer—even though that’s the last thing it wants to be. ♦

John Podhoretz, editor of Commentary, is THE WEEKLY STANDARD’s movie critic.

"I think that there have been a number of situations in which you've seen this administration intervene in a meaningful way that has substantially furthered American interests and substantially improved the, uh, you know, the—the tranquility of the global community."

—White House spokesman Josh Earnest during his daily news briefing, July 14, 2014

PARODY

THE BATTLE FOR, UH, YOU KNOW, GLOBAL TRANQUILITY

and nobody ever challenged Biden to a hot dog-eating contest again.

Anyway, I digress. Where was I? Oh, right, the summer of 2014, when President Obama's, uh, plan for, uh—when his foreign policy in, you know, foreign, uh, lands, was really starting to effect some dramatic changes in, uh, the, you know, the...world.

Yes, there were, like, some, uh, setbacks. Things in Iraq had, um, you know, somewhat, uh, escalated. And of course, everyone recalls the events going on along our own border, uh, which, of course, the president made his uh, you know, his highest priority. And perhaps our relationship with Russia and Vladimir Putin was, uh, not, the, you know, uh, totally...not—maybe not completely, um, optimized to the degree to which the president...the American people...um....But, you know, President Obama was steadfast in his dealings with Putin, demonstrating yet again to all his critics that he was a leader with real, uh, you know, uh, what's it called, uh...backbone—he had it, as we all remember so well.

Now, without a doubt, the breakdown of the Israeli-Palestinian peace process was a personal blow to the president, who never wavered in his support of Israel, our, uh, you know, our, uh...ally. I think it's safe to say that were it not for the president's, like, really great, uh, relationship with Israeli prime minister...wait...Netanyahu, yeah, Netanyahu, well, Israel might not have made it through the crisis.

And really, while the president's critics were focused on these, um, kind of, uh, suboptimal situations, the president was hard at work making the world a more, uh, you know, ensuring, uh, you know, the, uh, tranquility of the global community. Events in South America were sort of tranquil, compared to, uh, many other places, for the most part, as they were in several other, uh, regions of the world, such as, uh, you know, um, Canada, for example, and